

April 11, 2017

**Virginia:**

AT A REGULAR MEETING of the Nelson County Board of Supervisors at 2:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse, in Lovingston Virginia.

Present: Allen M. Hale, East District Supervisor  
Constance Brennan, Central District Supervisor  
Thomas H. Bruguire, Jr. West District Supervisor – Vice Chair  
Larry D. Saunders, South District Supervisor  
Thomas D. Harvey, North District Supervisor – Chair  
Stephen A. Carter, County Administrator  
Candice W. McGarry, Administrative Assistant/Deputy Clerk  
Debra K. McCann, Director of Finance and Human Resources  
Tim Padalino, Director of Planning and Zoning  
Grant Massie, Recycling Coordinator

Absent: None

**I. Call to Order**

Mr. Harvey called the meeting to order at 2:05 PM, with all Supervisors present to establish a quorum.

A. **Moment of Silence**

B. **Pledge of Allegiance** – Mr. Bruguire led the Pledge of Allegiance

**II. Recognition of Retired Extension Agent/VCE Unit Coordinator, Michael LaChance (R2017-17)**

Mr. Hale moved to approve resolution **R2017-17**, Resolution Recognizing the Retirement of Virginia Cooperative Extension Agent, Michael LaChance and Mr. Bruguire seconded the motion, There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted and read aloud by Mr. Hale:

**RESOLUTION R2017-17  
NELSON COUNTY BOARD OF SUPERVISORS  
RESOLUTION RECOGNIZING THE RETIREMENT OF  
VIRGINIA COOPERATIVE EXTENSION AGENT MICHAEL LACHANCE**

**WHEREAS**, Mr. Michael LaChance has recently retired after twenty-six years of service with Virginia Cooperative Extension including twenty-four years of service in Nelson County; and

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**WHEREAS**, Mr. LaChance's outstanding leadership and extensive commitment to advising and fostering the agricultural community included: working with vineyards and wineries to establish agri-tourism based businesses, establishing the local chapter of the Virginia Master Gardeners, and the Virginia Master Naturalists programs, working with the Nelson County farmer's market, overseeing a local water testing program, and offering advice and solving household problems; and

**WHEREAS**, Mr. LaChance not only was a wealth of knowledge on local best practices for ideal crop production, pest management and other issues, he participated in an international exchange program where he shared his knowledge globally with farmers in Egypt, Bangladesh, and Tajikistan,

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Nelson County Board of Supervisors wish to hereby congratulate Mr. LaChance on his retirement, to thank him for his many years of public service that served to greatly enhance the Nelson County Community and beyond, and to wish him the best in all his future endeavors.

Mr. LaChance came forward and was presented with a plaque of the signed resolution and congratulated on his retirement.

Mr. LaChance noted that he first worked in Essex County and then came to Nelson. He noted how much he had enjoyed his tenure here and he noted he would remain in the county and would be a willing volunteer within the county. Mr. LaChance then thanked the Board for its support.

### **III. Consent Agenda**

Mr. Harvey noted that there were several resolutions to be noted: one recognizing Public Safety and Dispatch Week, one recognizing Animal Care and Control Week, one denoting April as Child Abuse Prevention Month and one denoting April as Fair Housing Month.

Ms. Brennan read aloud resolution **R2017-20**, Resolution April is Child Abuse Prevention Month. She then noted a pinwheel ceremony to be held on April 27<sup>th</sup> at noon at the Nelson Center.

Mr. Bruguere read aloud **R2017-19**, Public Safety Telecommunicators Week, April 9<sup>th</sup> to April 15<sup>th</sup>.

Mr. Saunders then read aloud **R2017-21**, April is Fair Housing Month.

Mr. Hale then read aloud resolution **R2017-23** Animal Care and Control Appreciation Week, April 9<sup>th</sup> to April 15<sup>th</sup>.

Ms. Brennan then moved to approve the consent agenda and Mr. Hale seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolutions were adopted:

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A. Resolution – **R2017-18** Minutes for Approval

**RESOLUTION R2017-18  
NELSON COUNTY BOARD OF SUPERVISORS  
APPROVAL OF MEETING MINUTES  
(March 21, 2017)**

**RESOLVED**, by the Nelson County Board of Supervisors that the minutes of said Board meeting conducted on **March 21, 2017** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – **R2017-19** Public Safety Dispatcher Appreciation Week  
(4/9 to 4/15)

**RESOLUTION R2017-19  
NELSON COUNTY BOARD OF SUPERVISORS  
NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK  
April 9-15, 2017**

**WHEREAS**, emergencies can occur at anytime that require police, fire or emergency medical services; and

**WHEREAS**, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

**WHEREAS**, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Nelson County 911 center; and

**WHEREAS**, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

**WHEREAS**, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

**WHEREAS**, Public Safety Telecommunicators of Nelson County have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

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**WHEREAS**, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

**NOW THEREFORE BE IT RESOLVED**, that the Nelson County Board of Supervisors declares the week of April 9-15, 2017 to be National Public Safety Telecommunicators Week in Nelson County in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

C. Resolution – **R2017-20** April is Child Abuse Prevention Month

**RESOLUTION R2017-20  
NELSON COUNTY BOARD OF SUPERVISORS  
APRIL IS CHILD ABUSE PREVENTION MONTH**

**WHEREAS**, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

**WHEREAS**, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

**WHEREAS**, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

**WHEREAS**, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

**NOW THEREFORE BE IT RESOLVED**, that the Nelson County Board of Supervisors do hereby recognize April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

D. Resolution – **R2017-21** April is Fair Housing Month

**RESOLUTION R2017-21  
NELSON COUNTY BOARD OF SUPERVISORS  
APRIL 2017 IS FAIR HOUSING MONTH**

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**WHEREAS**, April is Fair Housing Month and marks the 48th anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988); and

**WHEREAS**, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing (and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness); and

**WHEREAS**, the Fair Housing Act supports equal housing opportunity throughout the United States; and

**WHEREAS**, fair housing creates healthy communities, and housing discrimination harms us all;

**NOW THEREFORE BE IT RESOLVED**, that the Nelson County Board of Supervisors supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year.

E. Resolution – **R2017-22** Piedmont Workforce Network Re-designation  
of Local Workforce Development Area

**RESOLUTION R2017-22**  
**NELSON COUNTY BOARD OF SUPERVISORS**  
**RE-DESIGNATION OF PIEDMONT WORKFORCE NETWORK**  
**LOCAL WORKFORCE DEVELOPMENT AREA**

**WHEREAS**, Under the Workforce Innovation and Opportunity Act (WIOA) of 2014, Local Workforce Development Areas were approved by the Governor's Office for an initial period of two years (July 1, 2015 through June 30, 2017); and

**WHEREAS**, prior to June 30, 2017, Local Workforce Development Area's must request re-designation through the Chief Local Elected Officials (CLEOs) representing the jurisdictions within the region; and

**WHEREAS**; Nelson County is represented by Supervisor Constance Brennan and is one of eleven (11) jurisdictions making up the Piedmont Workforce Network Council; and

**WHEREAS**, at the December 2016 meeting of the Council, the representatives voted to re-designate as a Local Workforce Development Area and in order to complete this requirement, each locality is requested to sign the attached CLEO Agreement to send to the Governor's Office for approval,

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**NOW THEREFORE BE IT RESOLVED**, that the Nelson County Board of Supervisors does hereby authorize the re-designation of the Piedmont Workforce Network Local Workforce Development Area via execution of the attached CLEO Agreement for the period of July 1, 2017 through June 30, 2019.

F. Resolution – **R2017-23** Animal Care and Control Appreciation Week  
(4/9 to 4/15)

**RESOLUTION R2017-23  
NELSON COUNTY BOARD OF SUPERVISORS  
ANIMAL CARE AND CONTROL APPRECIATION WEEK  
APRIL 9TH – APRIL 15TH**

**WHEREAS**, the National Animal Care & Control Association (NACA) is committed to setting the standard of professionalism in animal welfare and public safety through training, networking, and advocacy; and

**WHEREAS**, NACA has designated the second week of April each year as Animal Control Officer Appreciation Week; and

**WHEREAS**, animal care and control professionals dedicate their lives to the health and safety of at-risk, helpless animals; and

**WHEREAS**, animal care and control professionals work to rescue and protect animals from injury, disease, abuse, and starvation; and

**WHEREAS**, federal, state, and local government officials throughout the nation take this time of the year to recognize, thank, and commend all animal care and control professionals for the dedicated services they provide; and

**WHEREAS**, the Commonwealth of Virginia recognizes and commends animal care and control professionals for the many dedicated, long hours of service they perform, and for fulfilling the commitment to providing the highest and most efficient level of customer service;

**NOW, THEREFORE BE IT RESOLVED**, that the Nelson County Board of Supervisors do hereby recognize April 9-15, 2017 as Animal Care and Control Appreciation Week.

G. Resolution – **R2017-26** FY17 Budget Amendment

**RESOLUTION R2017-26  
NELSON COUNTY BOARD OF SUPERVISORS  
AMENDMENT OF FISCAL YEAR 2015-2016 BUDGET  
NELSON COUNTY, VA**

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**BE IT RESOLVED** by the Board of Supervisors of Nelson County that the Fiscal Year 2016-2017 Budget be hereby amended as follows:

**I. Appropriation of Funds (General Fund)**

	<u><b>Amount</b></u>	<u><b>Revenue Account</b></u>	<u><b>Expenditure Account</b></u>
	\$5,412.72	3-100-009999-0001	4-100-022010-5420
	\$522.00	3-100-002404-0006	4-100-022010-5419
	<u>\$928.00</u>	3-100-002404-0001	4-100-031020-5419
<b>Total Approp.</b>	<b>\$6,862.72</b>		

**II. Transfer of Funds (General Fund)**

**A. General Fund (FY17 Employee Salary/Benefit Adjustment)**

<u><b>Amount</b></u>	<u><b>Credit Account (-)</b></u>	<u><b>Debit Account (+)</b></u>
\$5,673.00	4-100-091030-5616	4-100-012010-1001
\$441.00	4-100-091030-5616	4-100-012010-2001
\$483.00	4-100-091030-5616	4-100-012010-2002
<u>\$69.00</u>	4-100-091030-5616	4-100-012010-2006
\$6,666.00		
\$2,004.00	4-100-091030-5616	4-100-012090-1001
<u>\$296.00</u>	4-100-091030-5616	4-100-012090-2002
\$2,300.00		
\$3,184.00	4-100-091030-5616	4-100-012130-1001
\$180.00	4-100-091030-5616	4-100-012130-2001
\$307.00	4-100-091030-5616	4-100-012130-2002
<u>\$42.00</u>	4-100-091030-5616	4-100-012130-2006
\$3,713.00		
\$5,247.00	4-100-091030-5616	4-100-012150-1001
\$500.00	4-100-091030-5616	4-100-012150-1002
\$722.00	4-100-091030-5616	4-100-012150-2002
\$3,220.00	4-100-091030-5616	4-100-012150-2005
<u>\$99.00</u>	4-100-091030-5616	4-100-012150-2006
\$9,788.00		

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\$933.00	4-100-091030-5616	4-100-012180-1001
\$1,419.00	4-100-091030-5616	4-100-012180-2001
<u>\$89.00</u>	4-100-091030-5616	4-100-012180-2002
\$2,441.00		
\$1,018.00	4-100-091030-5616	4-100-013020-1001
\$456.00	4-100-091030-5616	4-100-013020-2001
<u>\$98.00</u>	4-100-091030-5616	4-100-013020-2002
\$1,572.00		
\$26,882.00	4-100-091030-5616	4-100-032010-1001
\$1,371.00	4-100-091030-5616	4-100-032010-2001
<u>\$85.00</u>	4-100-091030-5616	4-100-032010-2002
\$28,338.00		
\$1,163.00	4-100-091030-5616	4-100-032030-1001
\$108.00	4-100-091030-5616	4-100-032030-2002
\$1,271.00		
\$1,934.00	4-100-091030-5616	4-100-034010-1001
\$1,880.00	4-100-091030-5616	4-100-034010-2001
<u>\$110.00</u>	4-100-091030-5616	4-100-034010-2002
\$3,924.00		
\$1,406.00	4-100-091030-5616	4-100-042030-1001
\$3,878.00	4-100-091030-5616	4-100-042030-1003
\$267.00	4-100-091030-5616	4-100-042030-2002
\$344.00	4-100-091030-5616	4-100-042030-2005
<u>\$38.00</u>	4-100-091030-5616	4-100-042030-2006
\$5,933.00		
\$4,095.00	4-100-091030-5616	4-100-043020-1001
\$391.00	4-100-091030-5616	4-100-043020-2002
<u>\$53.00</u>	4-100-091030-5616	4-100-043020-2006
\$4,539.00		
\$2,390.00	4-100-091030-5616	4-100-071020-1001
\$180.00	4-100-091030-5616	4-100-071020-2002
<u>\$24.00</u>	4-100-091030-5616	4-100-071020-2006
\$2,594.00		
\$5,893.00	4-100-091030-5616	4-100-081010-1001



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\$175.00	4-100-091030-5616	4-100-081010-2002
\$24.00	4-100-091030-5616	4-100-081010-2006
\$65.00	4-100-091030-5616	4-100-081010-2009
<u>\$4,586.00</u>	4-100-091030-5616	4-100-081010-3003
\$10,743.00		

\$2,187.00	4-100-091030-5616	4-100-081020-1001
\$1,224.00	4-100-091030-5616	4-100-081020-1003
\$47.00	4-100-091030-5616	4-100-081020-2001
\$209.00	4-100-091030-5616	4-100-081020-2002
<u>\$29.00</u>	4-100-091030-5616	4-100-081020-2006
\$3,696.00		

**\$87,518.00 Total Employee Salary/Benefit Transfer**

**Total Transfers \$87,518.00**

#### **IV. Public Comments and Presentations**

##### **A. Public Comments**

##### **1. Alan Jamison, CASA Supervisor in Nelson**

Mr. Jamison thanked the Board again for adopting the Child Abuse Prevention Month proclamation. He added that on April 27th at noon, they would have a pinwheel ceremony at the Nelson Center flagpole; with the eighty-two (82) pinwheels representing each of the children validated as abused and or neglected in Nelson County.

##### **2. David Hill, Sheriff Nelson County**

Mr. Hill stated that his department had funding left in the current year budget for purchase of a third vehicle. He advised that he had requested to use \$41,978.64 for this purpose, the requisition had been sent to the County Administrator a month ago, and it had been put on hold. He noted that he has also provided a list of his FY18 funding priorities as requested by the Board. He then asked about the delay in processing the requisition for purchase of the vehicle and Mr. Harvey noted they would address that later in the meeting.

##### **3. Ridgely Harrison, Shipman**

Ms. Harrison noted that she was speaking against the sale of the former Lovingson Healthcare Center building to Region Ten. She noted it was her understanding that their success rate was 10%, Liberty's was 50%, and some were 90%. She added that if the County was subsidizing or helping them at 20%,

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that rate should be higher. She then noted that she thought if people would be in and out of the facility, it would be better suited to be outside of the Lovington area where kids and family things were going on.

4. Victoria Jenkins, Afton

Ms. Jenkins, distributed and read aloud the following prepared statement:

I'm back again to talk about the Re-Use Shed, and today I'm focusing on the signs.

The 2 new large signs are great. Thank you very much Mr. Carter. One is posted on the outside of the shed, and totally visible even when the doors are open. The other is on the left entrance gate and not as visible as the signs posted on the right side.

There are 4 new parking signs installed in the RVCC lot I thought the county owned 4 spots, but the 4 signs are spread across 8 spots. That seems like overkill to me but at least that part of the job is done.

A Loading Zone could be considered a sign painted on the blacktop and that is still missing. I believe a painted loading zone is a key element for better traffic flow.

The situation today, including all the new and the all the old hand written signs made by the staff is creating the same exact problems of confusion as before, before the shed got closed. All the different posted signs are still conflicting each other. Then, if you add on top to that, all the made up, verbal rules from the staff, we are still stuck with the confusion and the conflicts.

I have been told directly, myself, to leave the site because I was there for more than 5 minutes. This is an example of a made up, verbal, staff created rule. Many other people have experienced the same thing. And this is after we park off site and walk in. I thought the whole idea was to encourage people to walk in, so we would reduce the amount of traffic. There is no mention of that new rule on the new sign.

It's like we are in an episode of Star Trek where Captain Kirk and his crew are stuck in a time warp. We are right back to square one. The shed got moved and there are some beautiful new signs, but nothing else has really changed.

The old signs need to be taken down, and the rules need to be smoothed out with all voices being heard, staff, management, and public. All the Collection Centers are designed and set up for the public. We would like a voice, a chance to serve, and to give back to our community. This is not rocket science as Captain Kirk might say.

I will leave you with some questions:

Who is the Captain of the Nelson County Solid Waste Collection Centers?

Why is the very capable and very busy County Administrator dealing with the shed?

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As a taxpayer I would like to know who is in charge of the staff at those sites?  
What role does the Solid Waste Coordinator have within the Collection Centers?

Thank you very much, Victoria Jenkins

5. Jesse Rutherford, Elma

Mr. Rutherford noted that the Board was working on the budget and deciding how to allocate funds. He noted that he echoed the grave needs of the Sheriff and he hoped the Board would push for their needs for public safety as a whole. He added with the changing crime world dynamics, there was a push to be safe and he encouraged the Board as they looked at budgets, to look at the public safety departments and give them the necessary resources. He added that they were clearly not being paid enough.

6. Peggy Whitehead, Roseland resident and Director of Blue Ridge Medical Center

Ms. Whitehead asked the Board to strongly consider voting in favor of Region Ten occupying the former Lovington Healthcare Center building if that came to a vote. She added that Region Ten was a Blue Ridge Medical Center partner and they fully supported them.

Mr. Harvey asked for Mr. Carter's input on the re-use shed and he noted that it had been back in operation for about two weeks and it seemed like it was going pretty well. He noted the signs were posted; however staff had not looked at removing the existing signage and they would now do so. He noted that input from the Attendants was they were being asked questions and have had some encounters; however they were doing their best to provide a good service to the public. He then noted that staff and the Attendants would iron out the five minute rule in question and he added that they had the discretion to deal with the public if there were any issues. He noted that they had been instructed to politely ask people to leave, to call the police or Mr. Massies the Coordinator or him. He noted that the encounters were nothing too serious. He noted that many questions had been about them being closed on the weekends and he noted this was done because of the higher volumes of traffic on those days.

Mr. Carter then stated that Grant Massie was the Coordinator of the centers; however he regularly visited the site and worked with the Attendants as well. Mr. Hale added that Recycling Coordinator was not Mr. Massies only job with the County and he had limited time to work on this. Mr. Harvey then suggested that staff print flyers containing information on use of the sites for people to take home. Mr. Hale clarified that the five (5) minute rule pertained to parking in front of the shed to load and unload.

Mr. Massie in attendance then addressed the Board and noted that he had inherited the five minute rule and he appreciated it. He noted that parking in front of the shed was an issue and at times the line into the site would queue up at the gate. He noted another reason for the time limit was that a few people would come into the shed and stay there in order to get first dibs on items coming in. He added that there were many instances where people looked around for longer than five minutes and that language did not get

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transferred from the old signs onto the new ones. Mr. Massie advised that he had instructed Attendants that if the rule was not clear, they could not enforce it and he agreed with Ms. Jenkins on that.

Mr. Carter then advised that he had personally encouraged loiterers to move along. He noted that the Attendants had some people tell them that they were a committee and had authority to work in the building; and they subsequently told them they did not and to move along. He added that the Attendants were doing their best to be helpful to the public and staff would soon paint the parking area.

Ms. Brennan then commented on Region Ten occupying the Lovingson Healthcare Center building and noted that it would be an assisted living facility project and not a treatment center. She noted that many would live there because they could not live anywhere else and many would stay there after completing rehab. She emphasized that Region Ten would not be operating a psychiatric hospital or substance abuse rehab center.

B. Presentation – Piedmont Virginia Community College (F. Friedman)

PVCC President Frank Friedman gave the following presentation:



# PVCC Then and Now

## 2005/06 – 2015/16

Opportunity. Access. Excellence.

Enrollment			
	2005-06	2015-16	% Change
<b>PVCC Headcount</b>	6,239	7,595	22%
<b>Nelson Headcount</b>	253	265	5%
<b>Nelson Dual Enrollment Headcount</b>	36	32	-11%
<b>Nelson Distance Learning Headcount</b>	42	186	343%
<b>Recent Nelson H.S. Graduates</b>	19	21	10%

4/24/2017

Dr. Friedman noted that the distance learning headcount was so high because the geographical distance to campus was a barrier and many were taking online courses. He noted this showed how important broadband access was in the county.

PVCC Then and Now Fall 2006 – Fall 2016			
Opportunity. Access. Excellence.			
PVCC Piedmont Virginia Community College			
Graduates			
	2005-06 PVCC	2015-16 Nelson	PVCC
Unduplicated Headcount	318	28	816
Associate of Arts	41	1	76
Associate of Science	123	14	300
Associate of Applied Science	95	8	166
Certificate	57	14	448
Career Studies Certificate	12	10	255
Total Awards	328	47	1,245

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Dr. Friedman noted that most earned a certificate, an award, and an Associate's Degree.

New Programs Since Fall 2006	
Opportunity. Access. Excellence.	
PVCC Piedmont Virginia Community College	
Academic	
•Central Services Technician	•Computer Science (2005)
•Diagnostic Medical Sonography	•Construction Management
•Emergency Medical Services: Advanced, Intermediate, Paramedic	•Culinary Arts
•Health Information Management	•Cyber Security
•Patient Admission Coordinator (2005)	•Engineering (2005)
•Pharmacy Technician	•Entrepreneurship
•Practical Nursing	•Graphic Design
•Radiography	•Manufacturing Technology
	•Professional Cooking
	•Retail Management

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**PVCC**  
PIEDMONT VIRGINIA  
COMMUNITY COLLEGE

**New Programs  
Since Fall 2006**

Opportunity. Access. Excellence.

**Workforce Services**

- Enology (2005)
- Viticulture (2005)
- Brewing
- Chamber Business Academy
- Clinical Medical Assistant
- Commercial Drivers License
- KidsCollege
- Phlebotomy Technician
- Small Engine Repair
- Unmanned Aerial Systems
- Welding

4/24/2017

Dr. Friedman noted that the first two programs listed have had over 500 people in 10 years. He also noted that in the unmanned aerial systems program, they worked with public safety on the use of drones in their work.



**PVCC**  
PIEDMONT VIRGINIA  
COMMUNITY COLLEGE

**New Facilities  
Since Fall 2006**

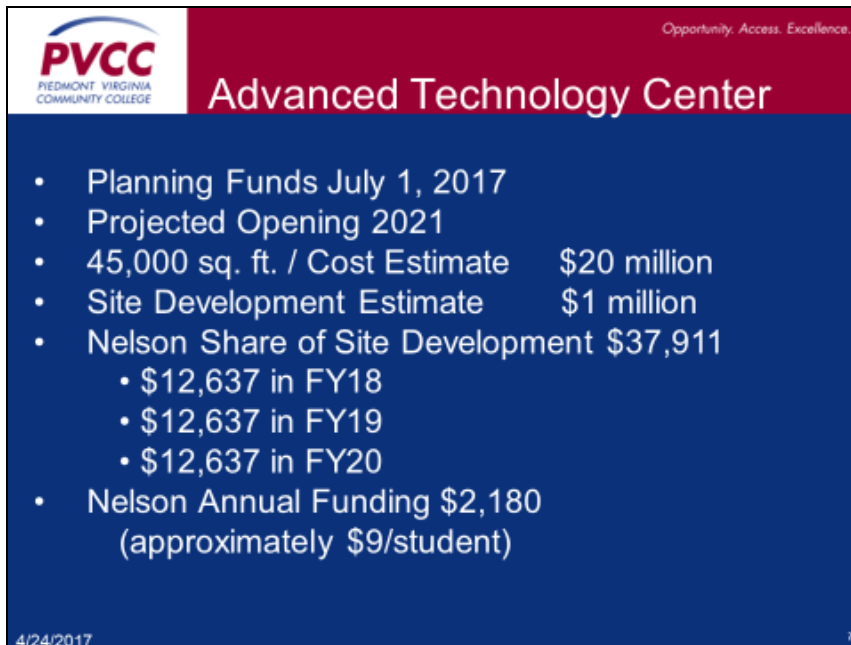
Opportunity. Access. Excellence.

- Keats Science Building
- Stultz Center
- First Quadrant Math Center
- Writing Center
- Giuseppe Center
- Jefferson School

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Dr. Friedman noted that the Stultz Cener was their non credit training center located in the old Monticello Visitors Center building, the Guiseppe Center was their 14,000 square foot learning center in Greene County, and the Jefferson School was their 6,000 square foot facility in Downtown Charlottesville.

A presentation slide for PVCC (Piedmont Virginia Community College). The slide has a red header with the PVCC logo on the left and the text "Opportunity. Access. Excellence." on the right. Below the header, the title "Advanced Technology Center" is displayed in white. The main body of the slide is dark blue with white text listing project details. At the bottom left, the date "4/24/2017" is shown, and at the bottom right, the number "7" is displayed.

**PVCC**  
PIEDMONT VIRGINIA  
COMMUNITY COLLEGE

Opportunity. Access. Excellence.

## Advanced Technology Center

- Planning Funds July 1, 2017
- Projected Opening 2021
- 45,000 sq. ft. / Cost Estimate \$20 million
- Site Development Estimate \$1 million
- Nelson Share of Site Development \$37,911
  - \$12,637 in FY18
  - \$12,637 in FY19
  - \$12,637 in FY20
- Nelson Annual Funding \$2,180  
(approximately \$9/student)

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Dr. Friedman noted that Site Development of new facilities was the responsibility of the local jurisdictions served and the cost was spread out over a few years so as not to all hit in one year. He noted that Nelson's share was \$38,000 broken down into three installments as noted. He added that Albemarle had 40% of enrollment and therefore they had a higher share of those costs.

Mr. Harvey then opened the floor for questions:

Mr. Hale inquired about the locality's share of construction and Dr. Friedman noted that the State provided all funding for construction except for the site development costs. He noted that this law went back fifty years and only applied to Community Colleges.

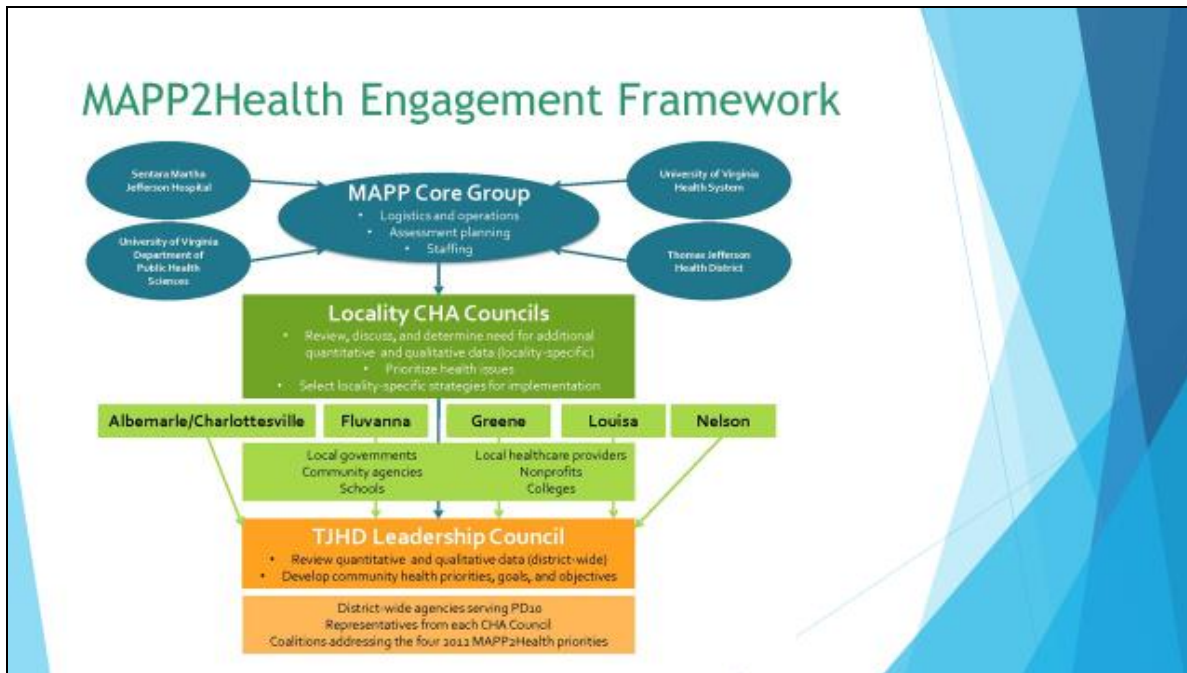
Mr. Hale then questioned the per square foot cost that he said was roughly over \$400 and Dr. Friedman noted it was high; however they hoped it would be more in the \$300-\$350 per square foot range. He noted that in developing those estimates, they had to calculate them using State formulas.

There being no further questions or discussion, the Board thanked Dr. Friedman for his presentation and the great work that PVCC was doing.

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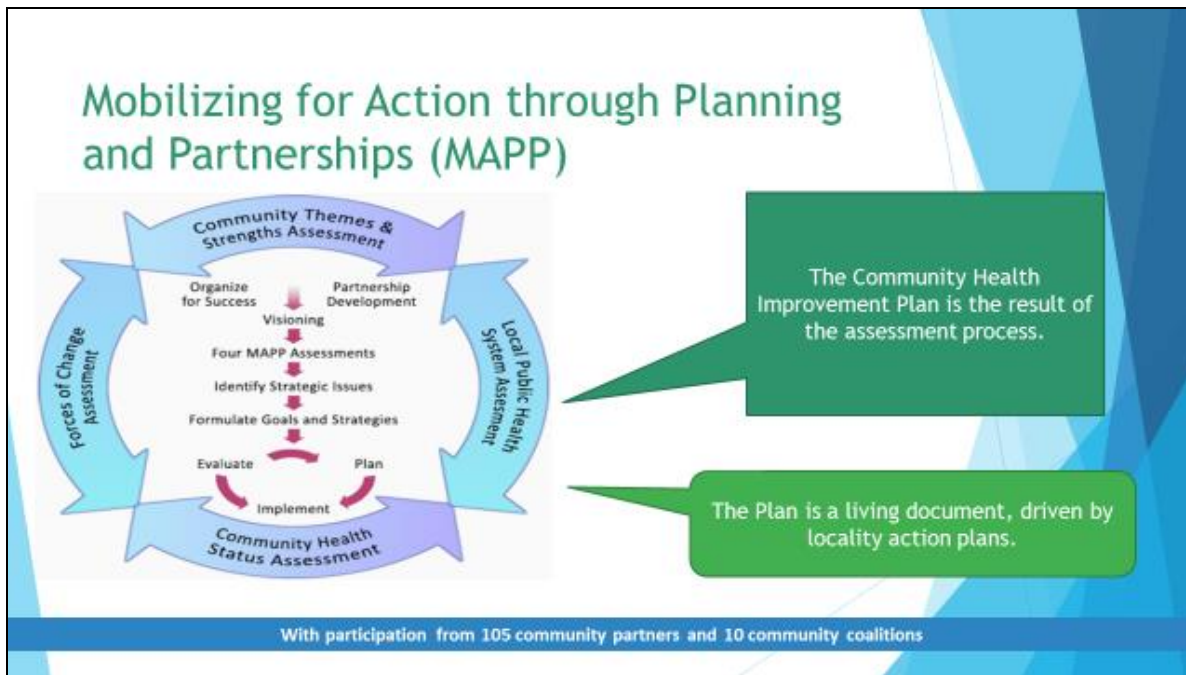
C. Presentation - VA. Dept. of Health Community Health Improvement Plan (Dr. Bonds)

Dr. Bonds gave the following presentation:



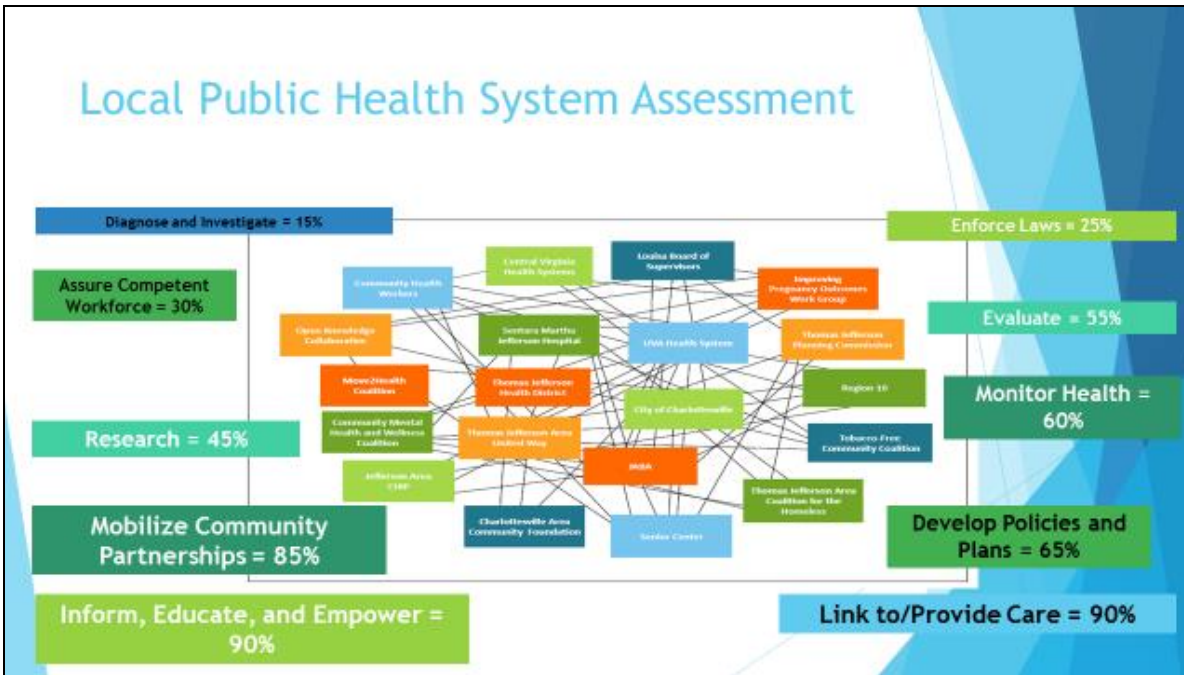
Dr. Bonds noted that each locality was represented on the TJHD Leadership Council and Peggy whitehead represented Nelson County.



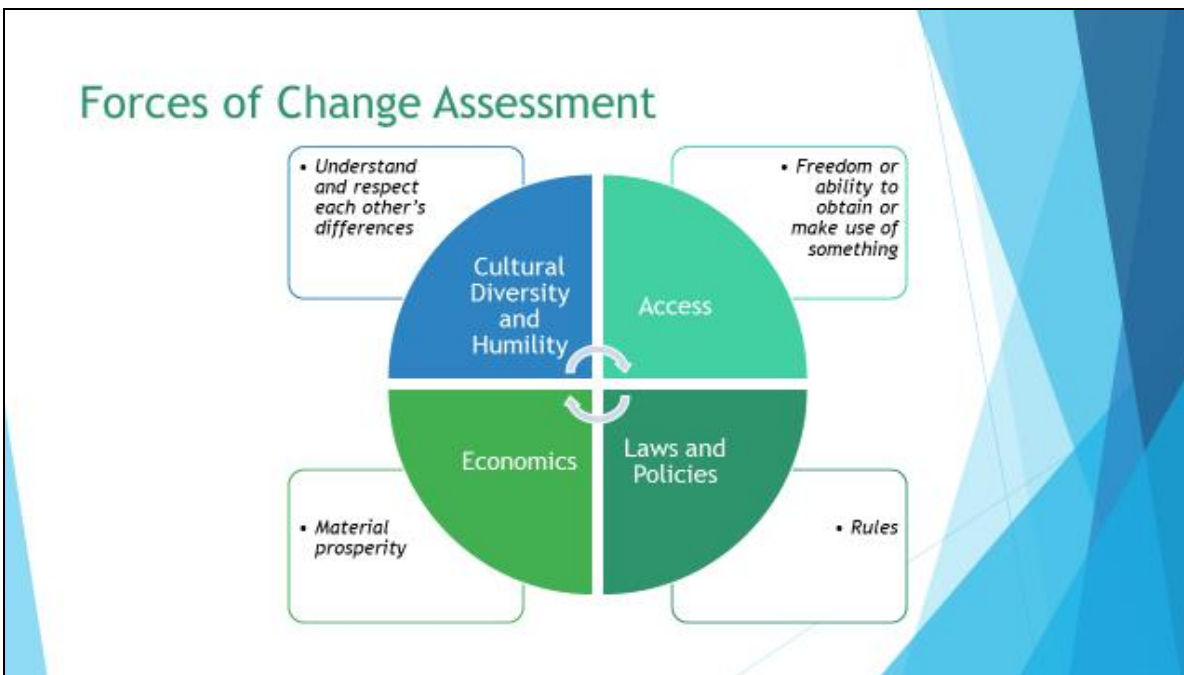


Dr. Bonds noted that the CHIP framework had four different health assessments as noted and the plan was developed from those. She added that this year, they had participation from 105 community partners and 10 community coalitions.





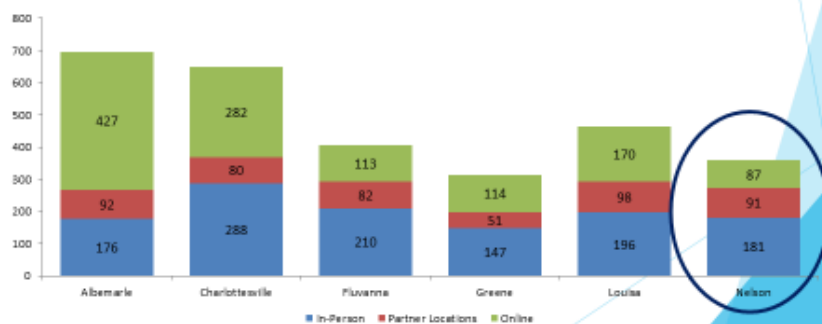
Dr. Bonds noted that there were many partners that worked together and a smaller number worked with the public; with this slide showing the linkages of the public health system.



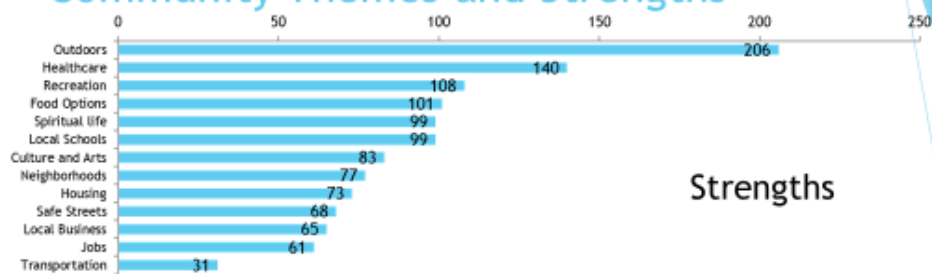
## Community Themes and Strengths

- Obtain input from community members on the health of their communities

- Where do you live?
- What makes your community a healthy place to live?
- What should your community improve?

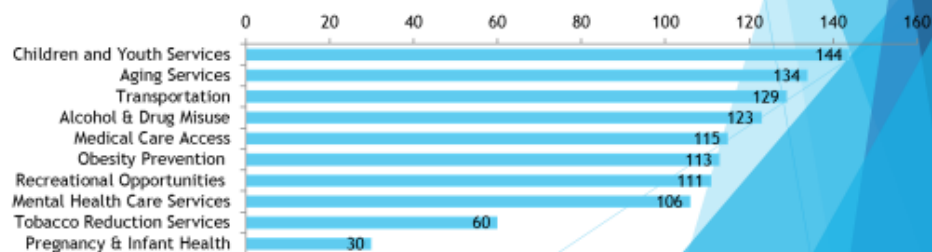


## Community Themes and Strengths

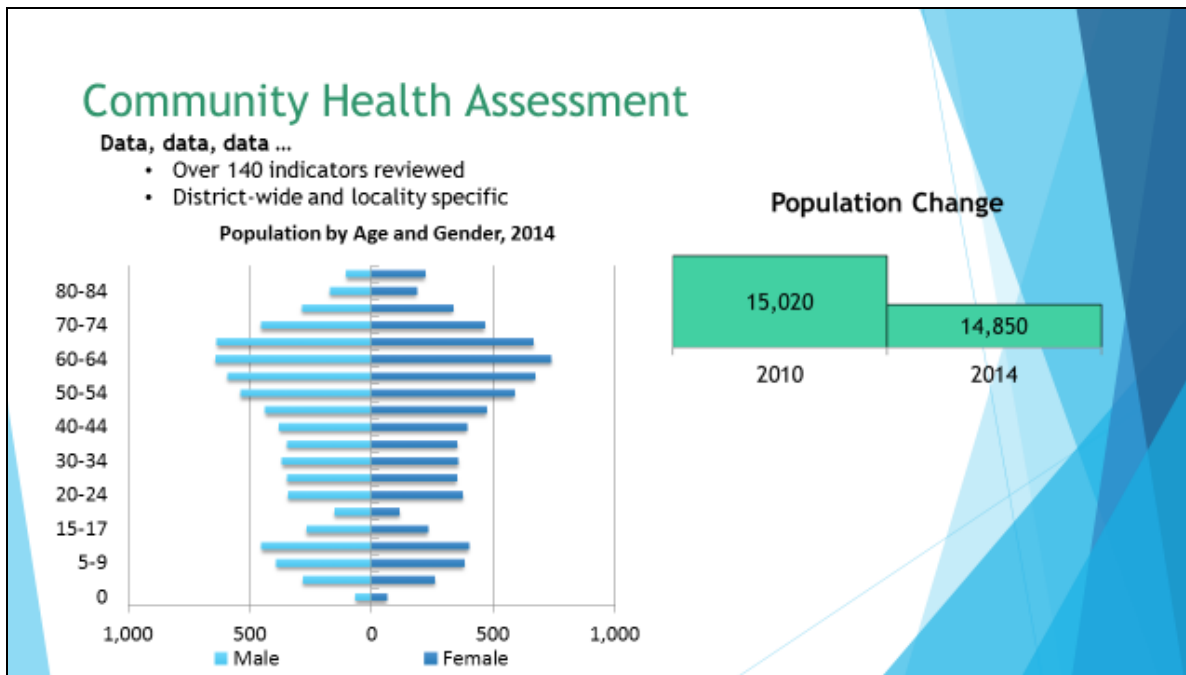


### Strengths

### Areas for Improvement



Dr. Bonds noted that more than one thing could be listed in the survey and the Medical Care Access improvement result was related to transportation issues.



Dr. Bonds noted there was a movement to get more local data and Nelson's population was decreasing; however it had a large aging population.

## Promote Healthy Eating and Active Living

**GOAL:** Increase access to healthy foods and recreation through education, advocacy, and evidence-based programming

Objective 1	Objective 2	Objective 3
By 2019, decrease the percentage of TJHD adults who are overweight or obese	By 2019, decrease the percentage of TJHD children who are overweight or obese	By 2019, implement data collection and analysis of obesity across the lifespan in all of TJHD

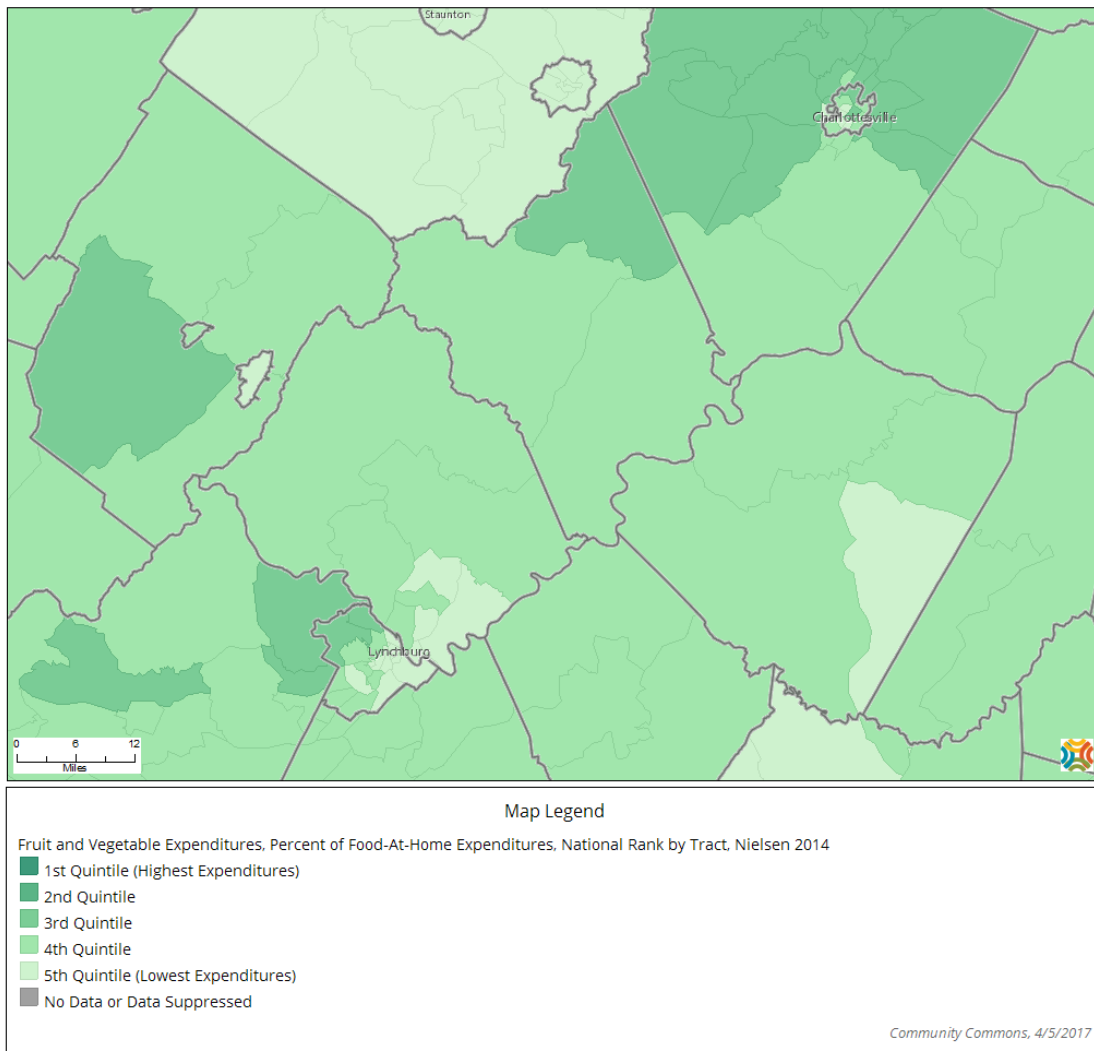
**Nelson County Strategies**

**Strategy 1:** Develop a collaborative relationship with the school system for hosting recreational / healthy lifestyle events at school facilities

**Strategy 2:** Continue collaborating with primary care providers as a key conduit for connecting people to others needed resources

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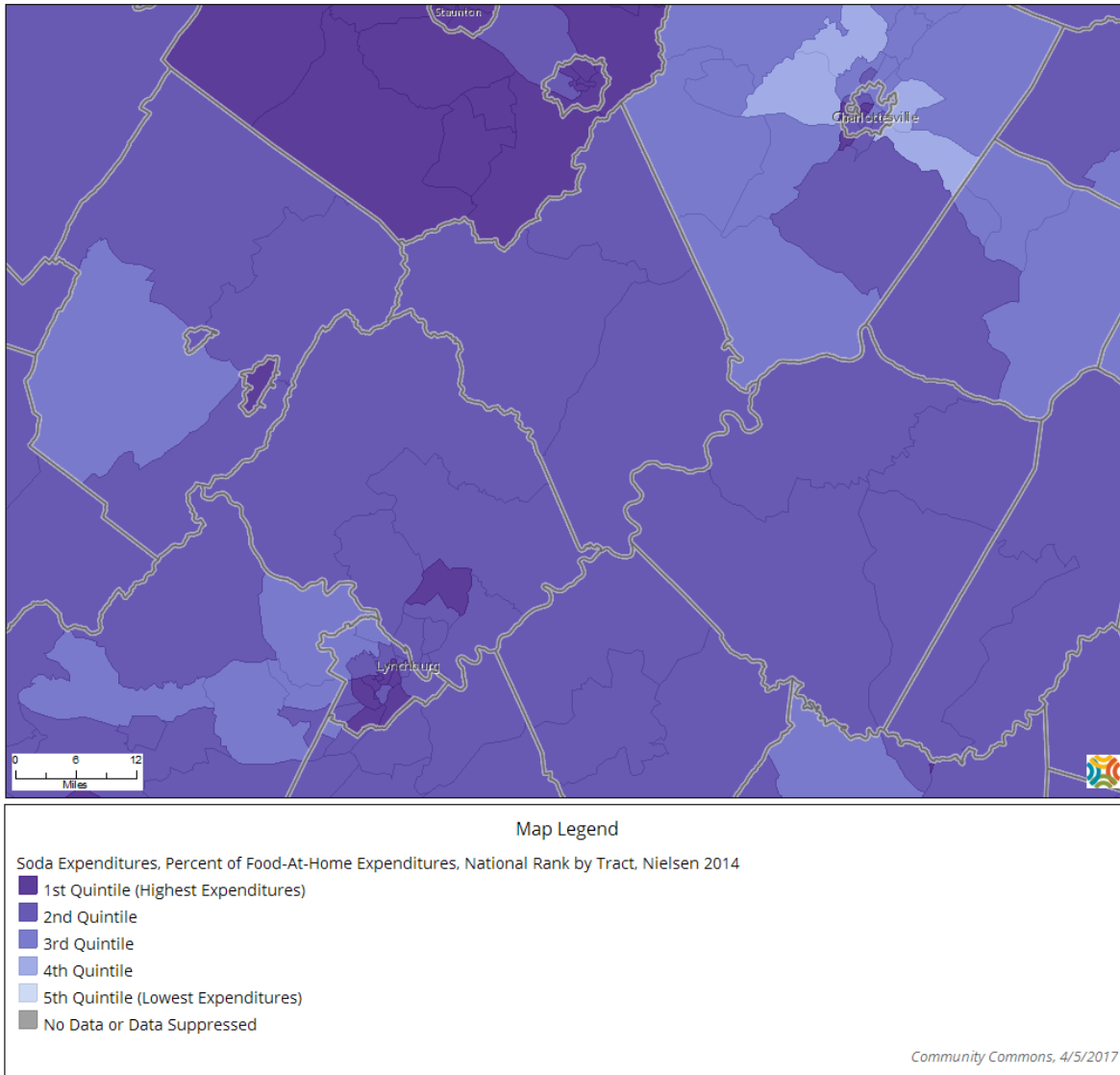
### Nelson County Fruit and Vegetable Expenditures



Dr. Bonds noted that consumer expenditures on fruits and vegetables were highest in the Afton area of the County.

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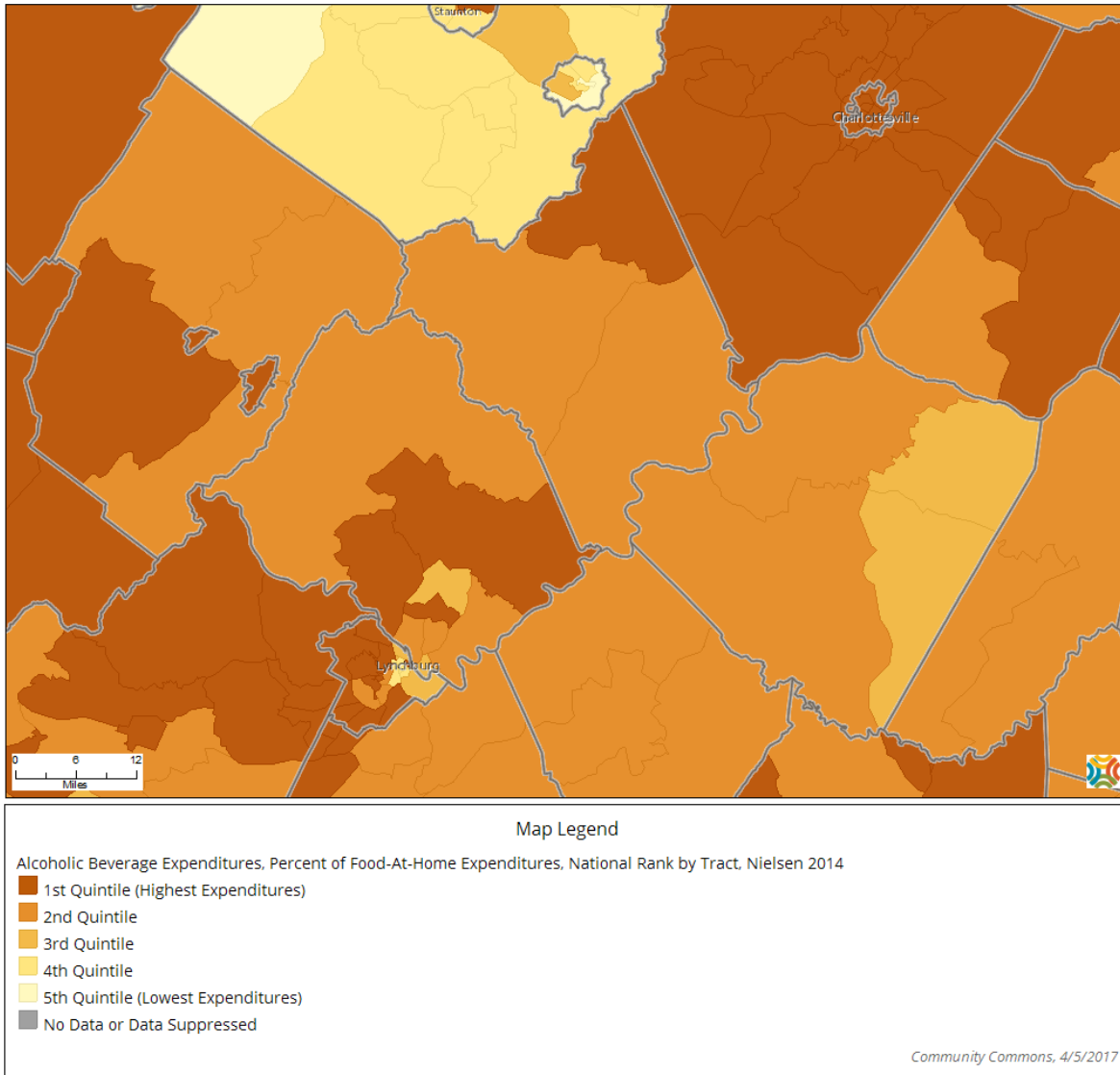
### Nelson Soda Expenditures



Dr. Bonds noted that consumer expenditures on soda were higher in Nelson than in the other areas and that was shown to contribute to the obesity epidemic.

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Nelson Alcohol Expenditures



Dr. Bonds noted that the rich wineries and breweries in the Afton area contributed to higher expenditures there.



## Address Mental Health and Substance Issues

**GOAL:** Improve capacity to provide culturally and linguistically appropriate mental health and substance abuse prevention and treatment services

Objective 1	Objective 2	Objective 3
By 2019, reduce the need for mental health and substance use disorder hospitalization in TJHD through improved access to upstream outpatient care	By 2019, increase the capacity of Community Mental Health and Wellness Coalition partners to provide mental health and substance use disorders services in TJHD by 10	By 2019, leverage partnerships across local coalitions to implement 3-5 policy, system, and environmental changes to prevent substance use disorders and promote mental health

### Nelson County Strategies

**Strategy 1:** Continue efforts to integrate primary and behavioral health care

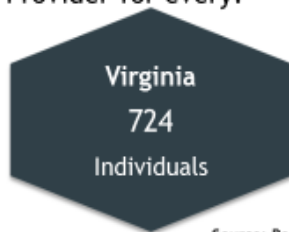
**Strategy 2:** Develop collaboration between schools and agencies serving/counseling youth

Dr. Bonds noted these 3 objectives and noted that they were already implementing Strategy 1; which has been successful.

## Mental Health Providers in Nelson, 2014

**11**  
Mental Health Providers

There is 1 Mental Health Provider for every:

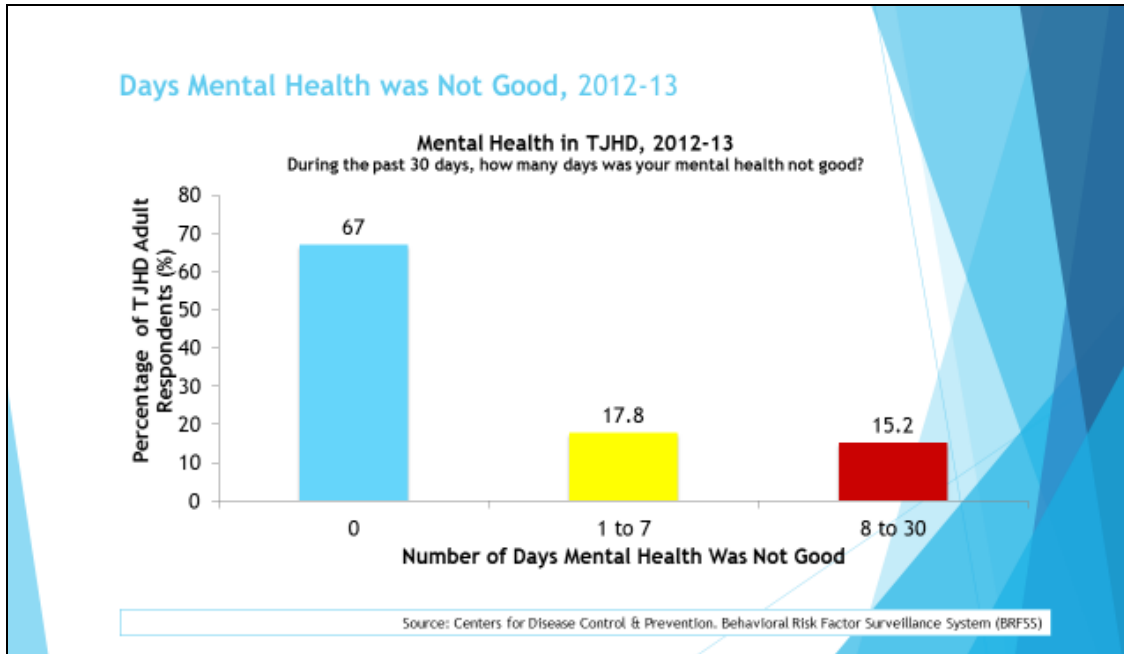


Source: Region 10. Personal communication

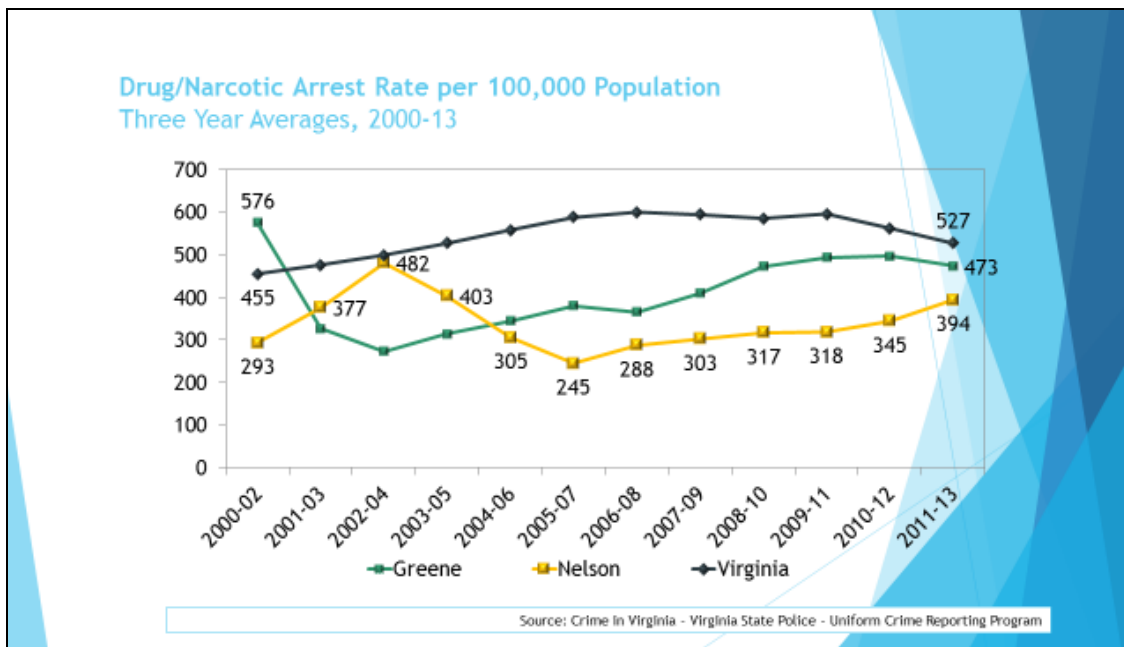


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Dr. Bonds noted that the ratio of mental health providers per capita was not the worst in the Health District; however the number of mental health providers per individuals in Nelson was inadequate compared to that of the State and they were working to increase that.



Dr. Bonds noted improvement needed to be made in this area.



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Dr. Bonds noted that these numbers represented rates so that they could be compared across different population sizes. She added that Nelson was under 400 and lower than the State.

## Improve health disparities and access to care

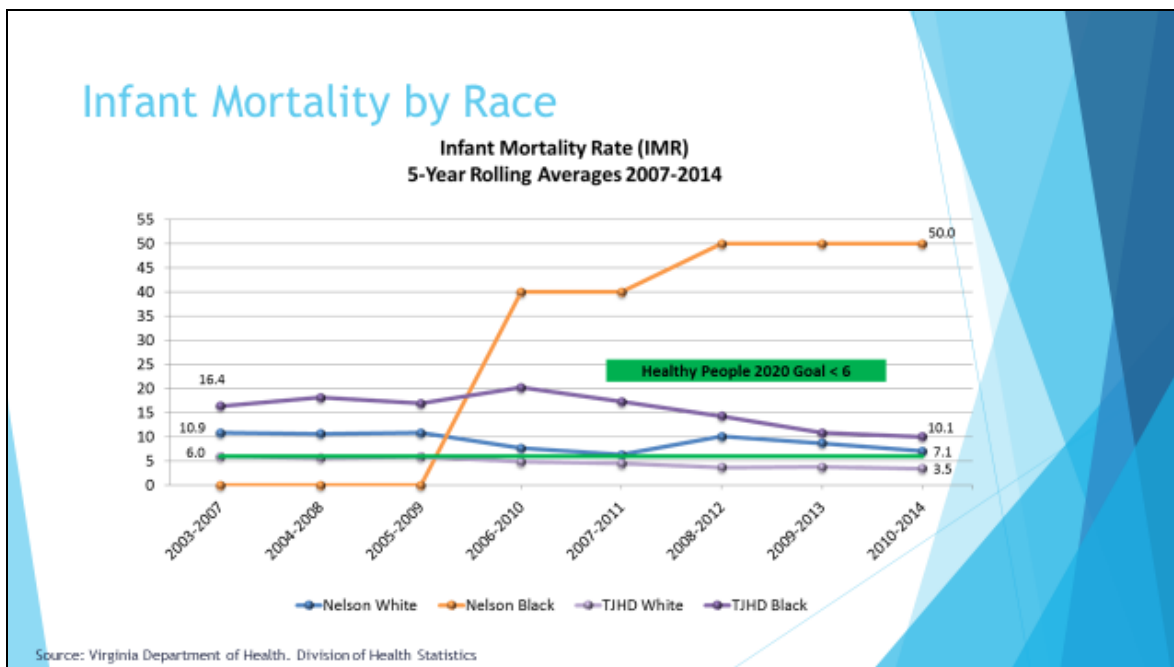
**GOAL:** Increase health equity and narrow the gap for health conditions through outreach and education to healthcare providers and community members

Objective 1	Objective 2	Objective 3
By 2019, identify up to three health condition with marked disparities and reduce the disparities	By 2019, decrease the 2010-14 TJHD African American infant mortality rate from 10.6 to 5.0 infant deaths per 1000 live births	By 2019, support TJHD employers and community partners to develop cultural humility and workforce diversity to ensure all citizens have the opportunity to achieve the highest levels of health

**Nelson County Strategies**

<b>Strategy 1:</b> Explore the possibility of using volunteer drivers to increase transportation services	<b>Strategy 2:</b> Focus efforts on child safety by strengthening connections and communication between organizations and programs
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Dr. Bonds noted that Objective 1 was a new area and they were starting at ground level.

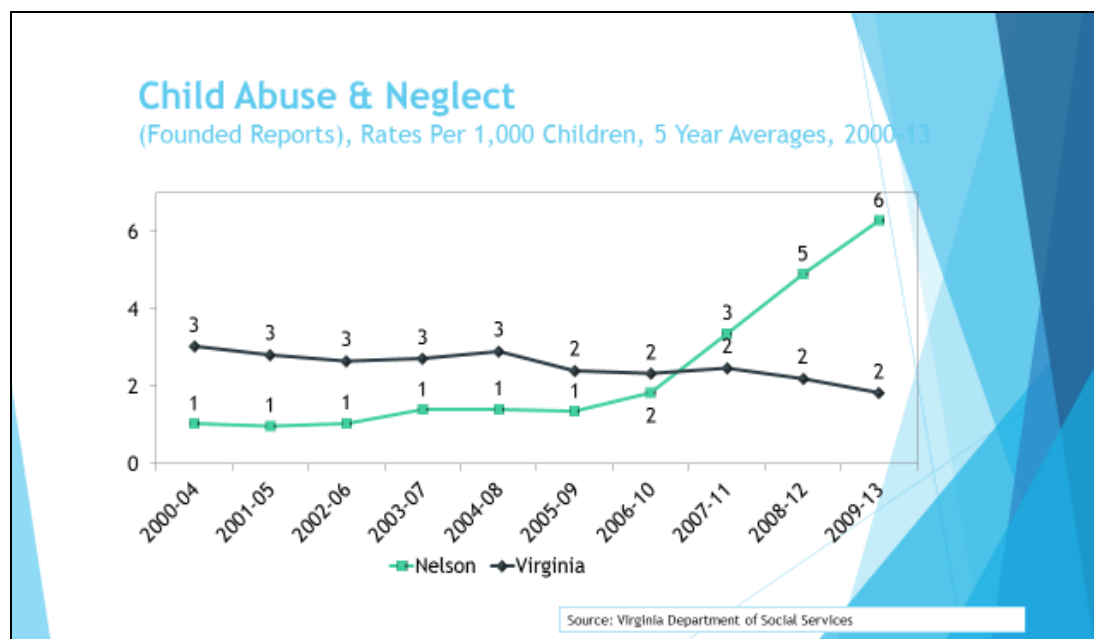


Dr. Bonds noted that the numbers represented here was a rate per 1000 individuals. She noted that the small numbers made this graph skewed dramatically. She noted that this represented one or two in any three year period; which was driving the rate in Nelson. She noted infant mortality was higher among those born to black women vs white women as it was across the health district as a whole.

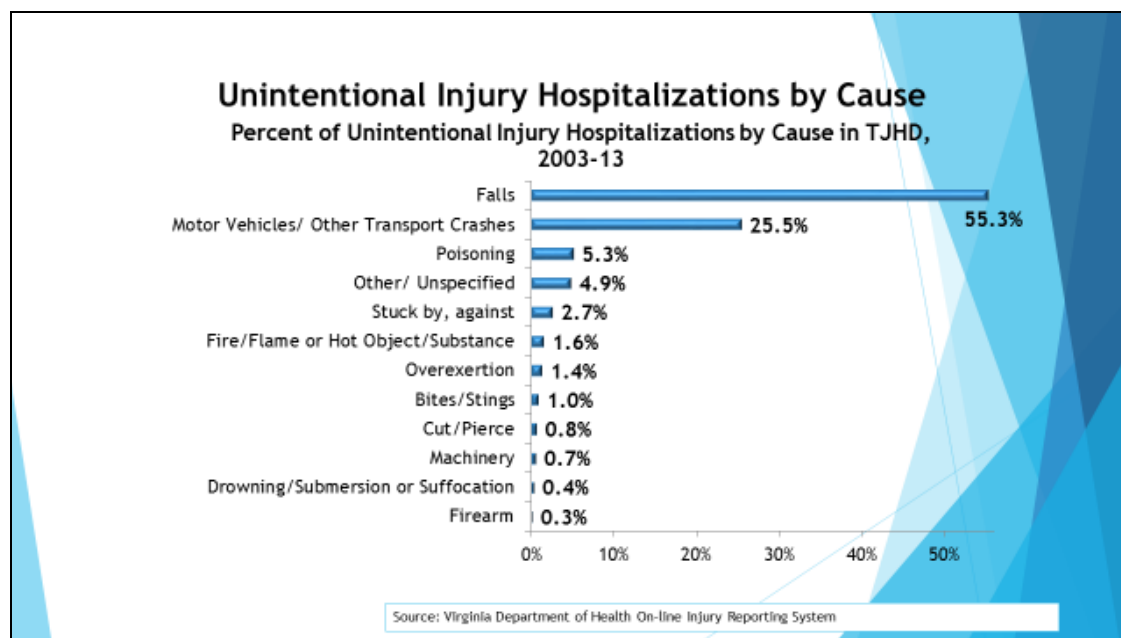
Mr. Bruguere asked why this was tracked by race and Dr. Bonds noted that historically infants born to black women died at a higher rate and they were trying to determine the cause so that all could be successful. She added that women who were economically disadvantaged, who were also often black, lacked access to prenatal care. She explained that they needed to know where the problems were so they could develop targeted interventions.

Foster a Healthy and Connected Community		
GOAL: Increase well-being across the lifespan by supporting education, prevention, advocacy, and evidence-based programming		
<b>Objective 1</b> By 2019, decrease the founded/substantiated child and adult abuse and neglect report rates	<b>Objective 2</b> By 2019, strengthen health relationships across the lifespan through expansion and implementation of evidence-based programming	<b>Objective 3</b> By 2019, decrease the rate of unintentional injury hospitalizations due to falls
Nelson County Strategies		
<b>Strategy 1:</b> Bring the <i>Tuesday's Table</i> model to Nelson such as by providing a free health dinner at a school with presentations on healthy eating, family education, etc.	<b>Strategy 2:</b> Collaborate with the schools to host family-friendly education and community events	

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Dr. Bonds noted again these numbers were rates and not absolute numbers. She noted that Nelson's rates were increasing at the same rate as other localities and it was a rolling average per 1000.



Dr. Bonds noted that the goal was to prevent falls so people could live healthy and productive lives.

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Full report can be found at:  
<http://www.vdh.virginia.gov/content/uploads/sites/91/2016/07/2016-MAPP2Health-Report.pdf>

Data slides can be found at:  
<http://www.vdh.virginia.gov/thomas-jefferson/council-information/>

## Contact

Putnam Ivey  
Population Health and Outreach Team,  
Thomas Jefferson Health District  
434-972-6241  
[Putnam.ivey@vdh.virginia.gov](mailto:Putnam.ivey@vdh.virginia.gov)

Dr. Bonds noted the links where the full report could be found and the contact name at the TJHD (Putnam Ivey) if the Board had any questions.

There being no other questions from the Board, Mr. Harvey thanked Dr. Bonds for her report and presentation.

#### D. Presentation – Rockfish Valley Area Plan (RVAP) Final Report (T. Padalino)

Mr. Padalino noted that there were paper copies and also online copies of the RVAP available. He noted it was a forty page report with maps etc. He added that this had been a long running project and the Board was due for a full update on phase I tasks and phase II tasks. He then noted that Mr. Wood Hudson from the TJPDC was also present.

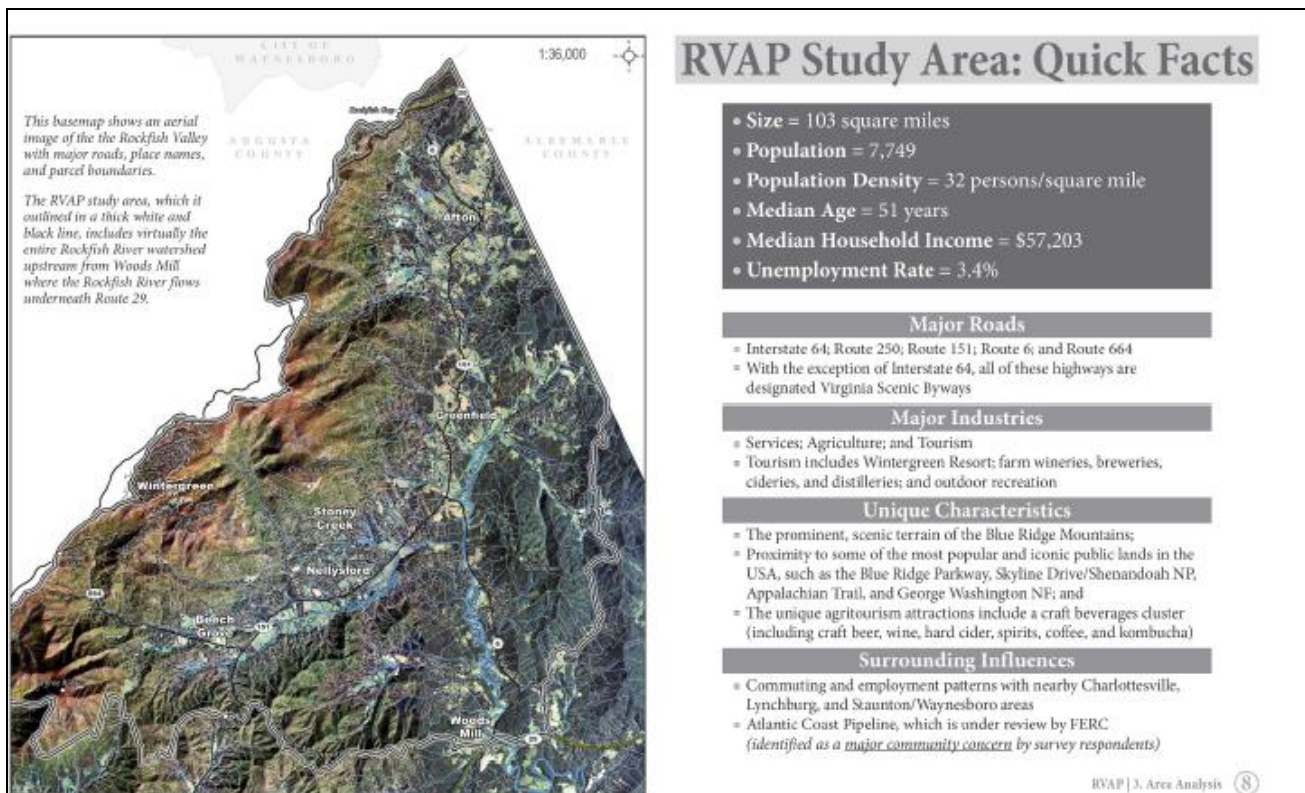
Mr. Padalino noted that the RVAP was not a Comprehensive Plan update or a Zoning Ordinance amendment. He noted that the Area Plan could not produce changes; however it presented information in order to outline beneficial action needed to be taken to push the analysis beyond raising awareness into positive community change. He noted that the goals were as follows:

- Produce an up-to-date evaluation of a wide variety of community assets and topics, including agriculture, economy, community, natural resources, and transportation;
- Understand recent land use patterns and development trends within context;

- Identify the local community's current concerns, desires, values, and priorities through a public engagement process;
- Develop short-term and long-term goals for meeting the needs of the Rockfish Valley's families, businesses, and visitors; and
- Identify a framework for balancing growth and preservation that would attempt to:
  - Maintain authentic rural character
  - Preserve unique sense of place
  - Protect Blue Ridge Mountain Scenery
  - Sustain working farms, forests, and other productive agricultural lands
  - Support local economic vitality
  - Provide specific recommendations for possible updates and modifications to County policies.

Mr. Padalino presented the following:

He showed a map of the study area which he noted included the entire Rockfish River watershed above US29. This area contains much of the North District and Central District, from Afton to Nellysford to Beech Grove to Wintergreen, and also the area from the Martin's Store substation (VA151 /VA6) over to Woods Mill (VA6/ US29).





Mr. Padalino then noted the higher level points on why do an area plan and he cited two reasons: the Board's Mission Statement which reads: "It is the mission of the Board of Supervisors to maintain Nelson County as a beautiful, safe, healthy, and prosperous rural county; where citizens are involved in all aspects of their governance; and where the community is well-planned to assure respect for and dedication to its traditions and resources, while continuing to improve its economic viability". He noted the following Code of Virginia Statutes: 15.2-2280 "protect and promote the public health, safety, and welfare, 15.2-2283 "facilitate the creation of a convenient, attractive, and harmonious community", 15.2-2284 "The Zoning Ordinance and Zoning Map must reasonably consider the: existing use and character;...trends of growth or change; ...conservation of natural resources;...and the encouragement of the most appropriate use of the land." He then quoted a Judge as saying that "Zoning may indeed be the most essential functions..."

## Why conduct an Area Plan?

**Responsibility:**

- to minimize unplanned growth and prevent undesirable change
- to protect rural residential areas
- to identify future land use patterns that are most desirable and most appropriate
- to maximize quality of life for residents

**Opportunity:**

- to ensure continued economic vitality
- to maximize Nelson Co. tourism "brand"
- to help attract the desired types of growth
- to help guide development towards the most appropriate areas

**Priority:**

- the area's ongoing commercial growth, as well as anticipated future development pressures, create an urgent need for a proactive response

**Purpose: Economic Development**

- Develop strategic recommendations that:
  - complement and strengthen the area's existing businesses and industries; and
  - help to attract new commercial activity from compatible target industries
- Establish a practical framework to guide commercial development towards the most appropriate locations throughout the area

**Purpose: Community Development**

- Develop strategic recommendations to protect the area's rural character, natural beauty, and special sense of place
- Develop strategic recommendations to protect rural residential areas from unplanned commercial development(s) and from other unharmonious land use changes

**Purpose: Comprehensive Plan**

- Identify any elements of the existing 2002 Comp Plan to be updated, expanded, replaced, or otherwise revised
- Produce up-to-date, forward thinking recommendations that can be considered for adoption into the existing 2002 Comp Plan

**Purpose: Zoning Policy**

- Identify strengths and weaknesses of how the current Zoning Ordinance tools and regulations affect this area
- Identify practical opportunities to review the Zoning Ordinance and Zoning Map for appropriate amendments

**Purpose: Nelson County Mission Statement**

- "It is the mission of the Board of Supervisors to maintain Nelson County as a beautiful, safe, healthy, and prosperous rural county;
- ...where citizens are involved in all aspects of their governance; and
- ...where the community is well planned to assure respect for and dedication to its traditions and resources, while continuing to improve its economic viability."

**Purpose: Code of Virginia**

- §15.2-2280: "protect and promote the public health, safety, and welfare"
- §15.2-2283: "facilitate the creation of a convenient, attractive, and harmonious community"
- §15.2-2284: The Zoning Ordinance and Zoning Map must reasonably consider the: "existing use and character; ...trends of growth or change; ...conservation of natural resources; ...[and] the encouragement of the most appropriate use of the land."

**Purpose: Public Participation**

- Ensure that public participation by a broad representation of stakeholders is a genuine part of the process, which will result in recommendations that reflect the values of the area's residents and businesses
- Develop an accurate understanding of the community's current interests and concerns
- Identify community concerns and desires regarding the future of the Rockfish Valley

**The RVAP attempts to serve many purposes:**

③ RVAP | I. Project Intro

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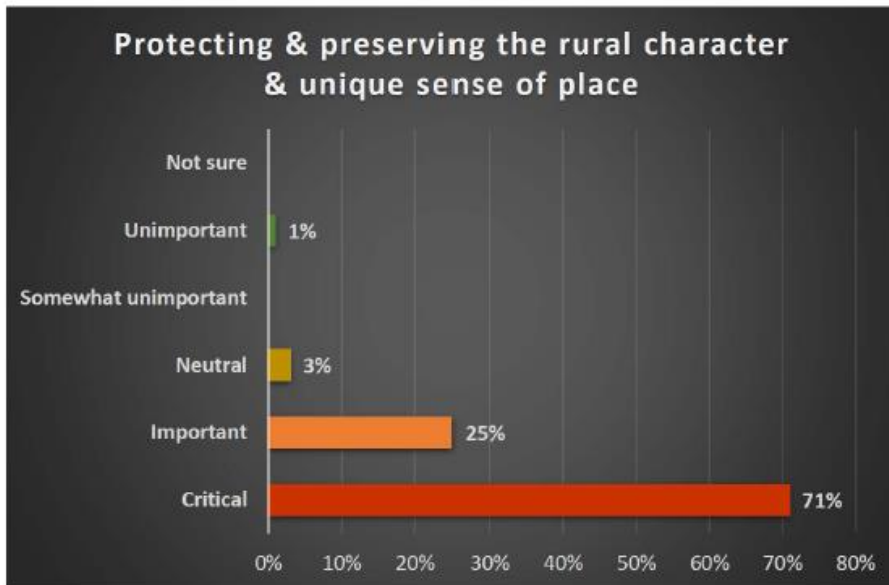
Mr. Padalino then reviewed highlights from Phase I being public engagement activities. He noted that public meetings were held and a community survey was conducted that generated a word cloud noting the most frequent words used in comments. He noted that development, businesses, traffic, rural, and beauty were the five most used words.





Mr. Padalino then noted the following survey questions and results:

Q5:



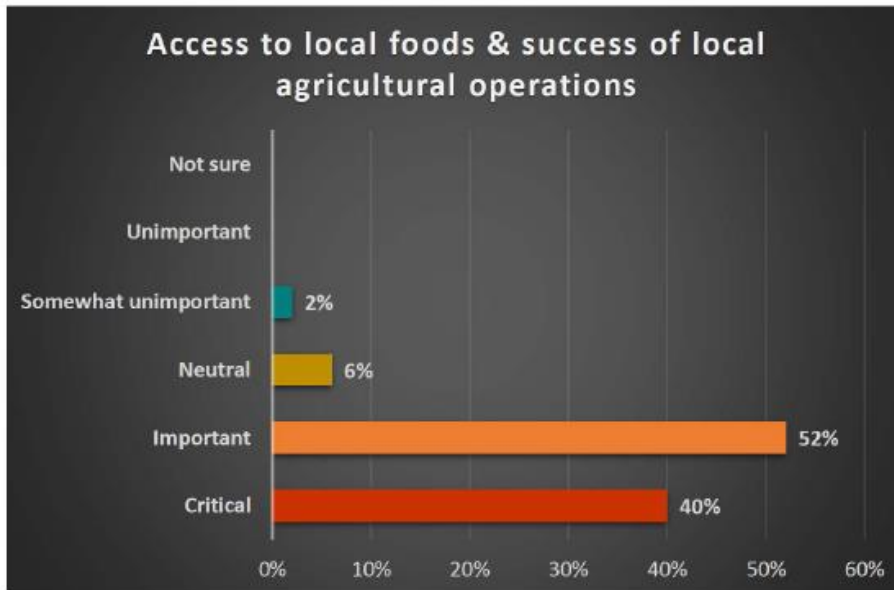
(Q5): 96% said it is important to protect and preserve the Rockfish Valley's rural character and unique sense of place. 71% said it is critically important.

Q8:



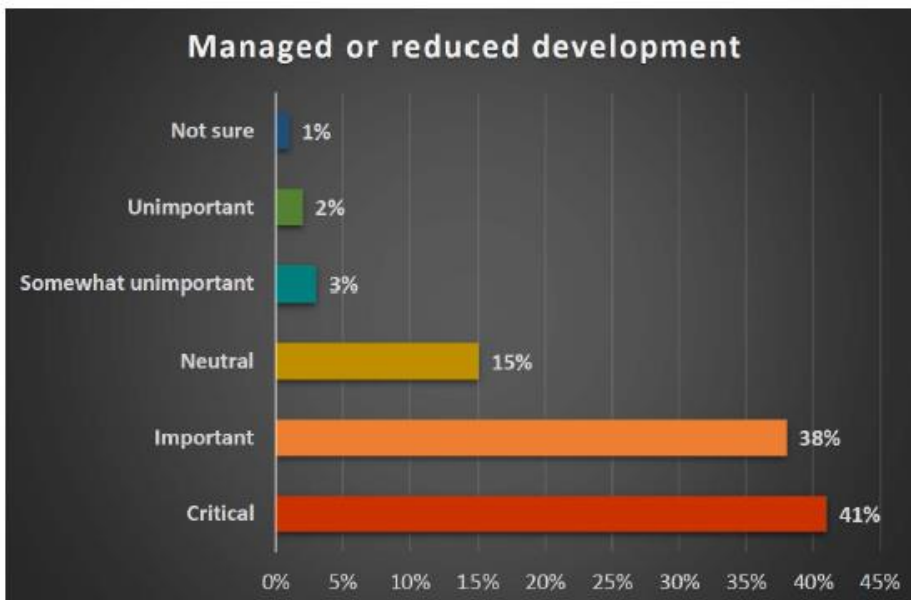
(Q8): 96% said safe/reasonable levels of traffic and congestion on roads is important. 58% said it is critically important.

Q21:



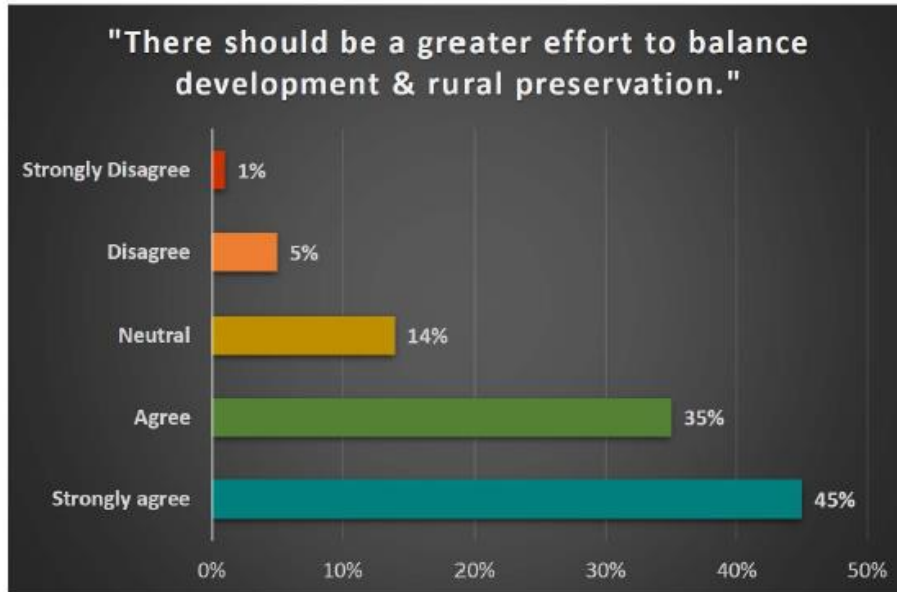
(Q21): 92% give importance to access to local foods and the success of local farms and local farmers.

Q11:



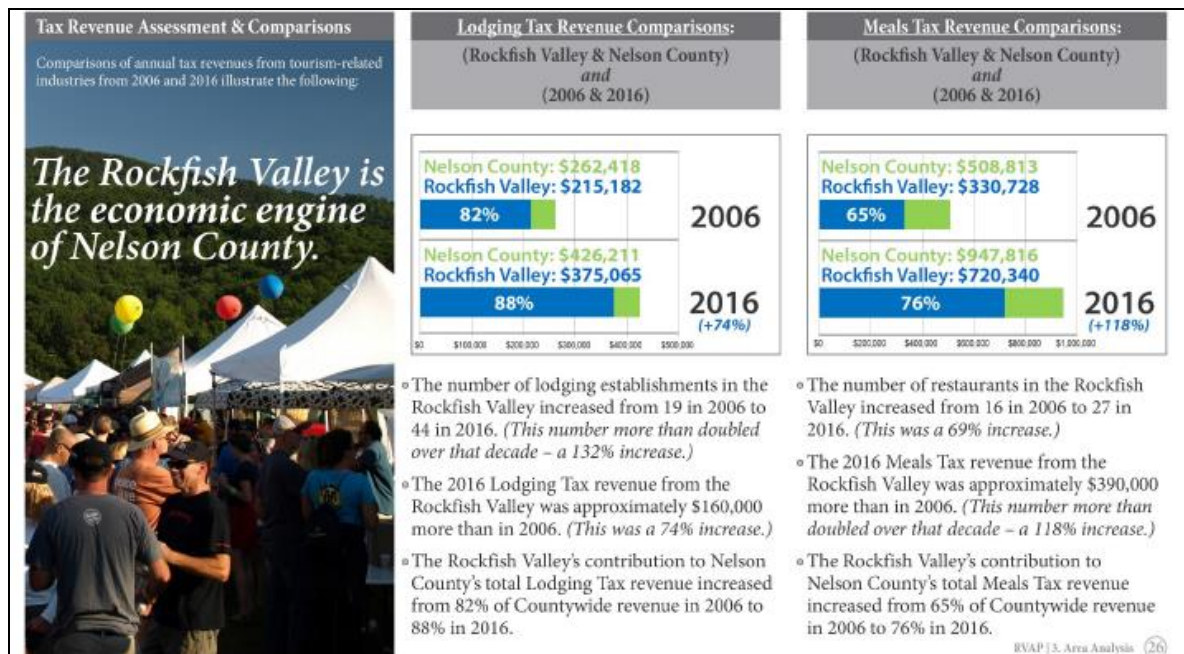
(Q11): 79% said managed or reduced development is important.

Q23:

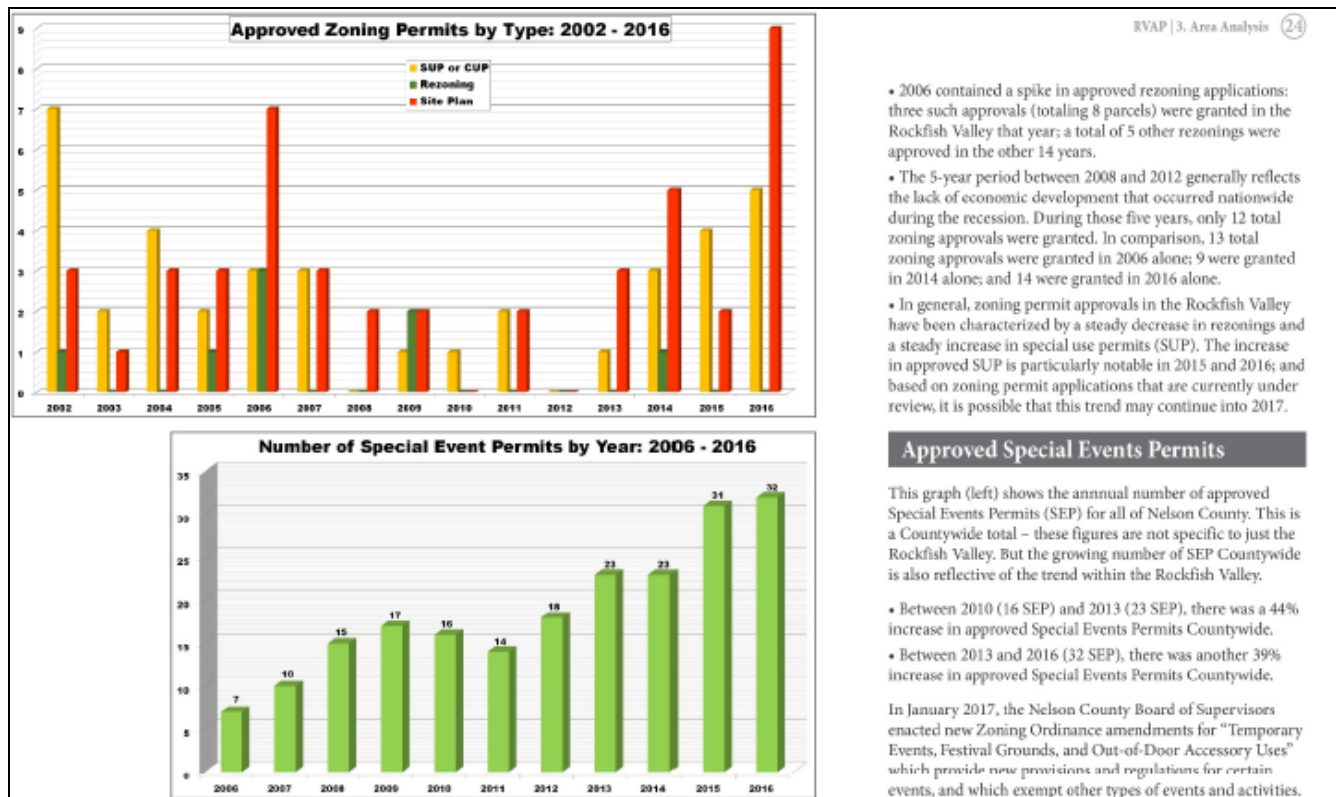


(Q23): 80% agreed that, "There should be a greater effort to balance development and rural preservation."

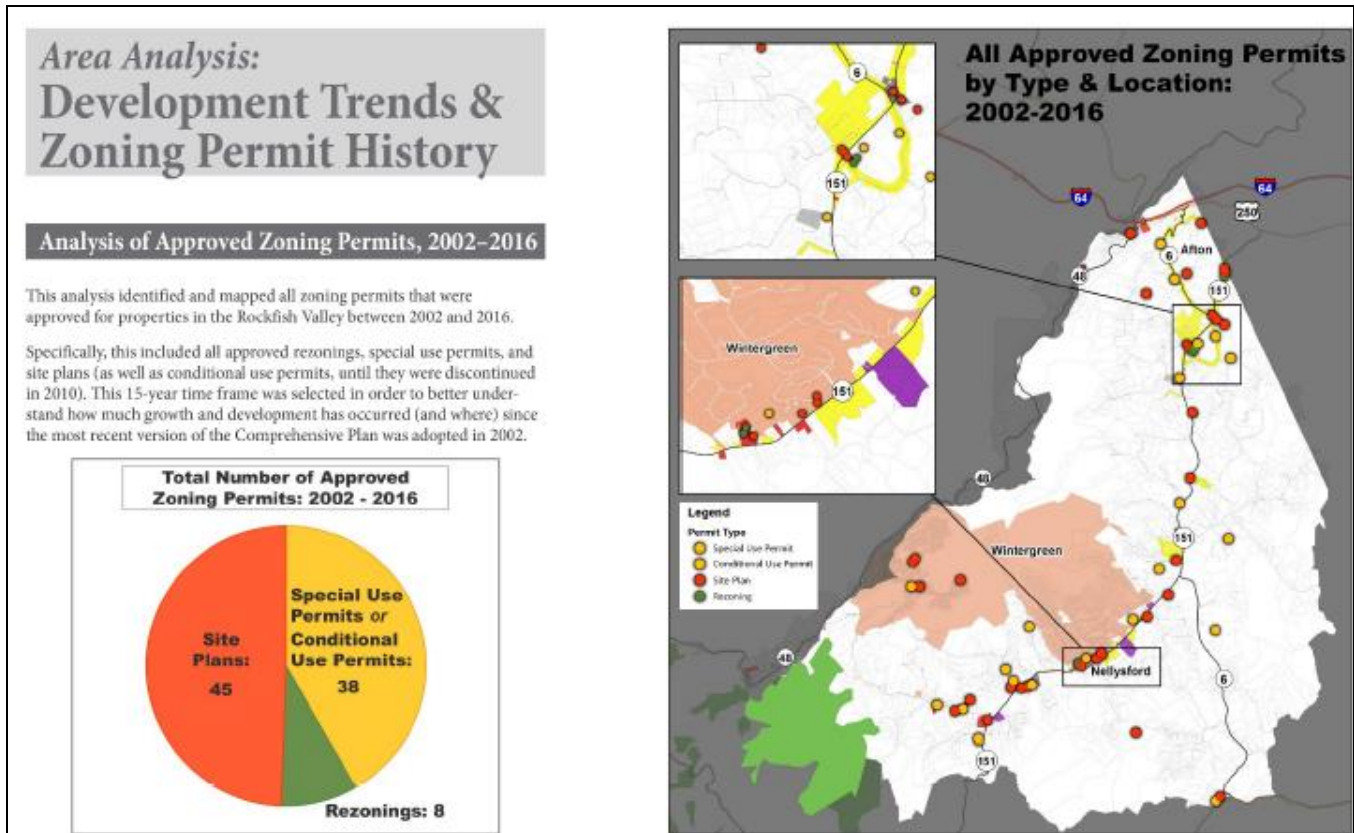
Mr. Padalino then noted having done a business inventory and tax revenue analysis comparison for 2006 and 2016 as shown below and noted that these numbers demonstrated that the Rockfish Valley was the economic engine of the county.



Mr. Padalino then noted the comparison of zoning permitting trends for 2002-2016 as shown below. He noted that the five-year trough reflected the economic recession and in 2013 there were increasing approvals of SUPs.



He noted that overall most of the zoning permits issued had been site plans at 45% and he noted the locations of these were scattered along the Route 151 corridor and were widely distributed. He noted a few concentrations in the Afton/Avon area and south in the Rockfish/Beech Grove areas as shown below:

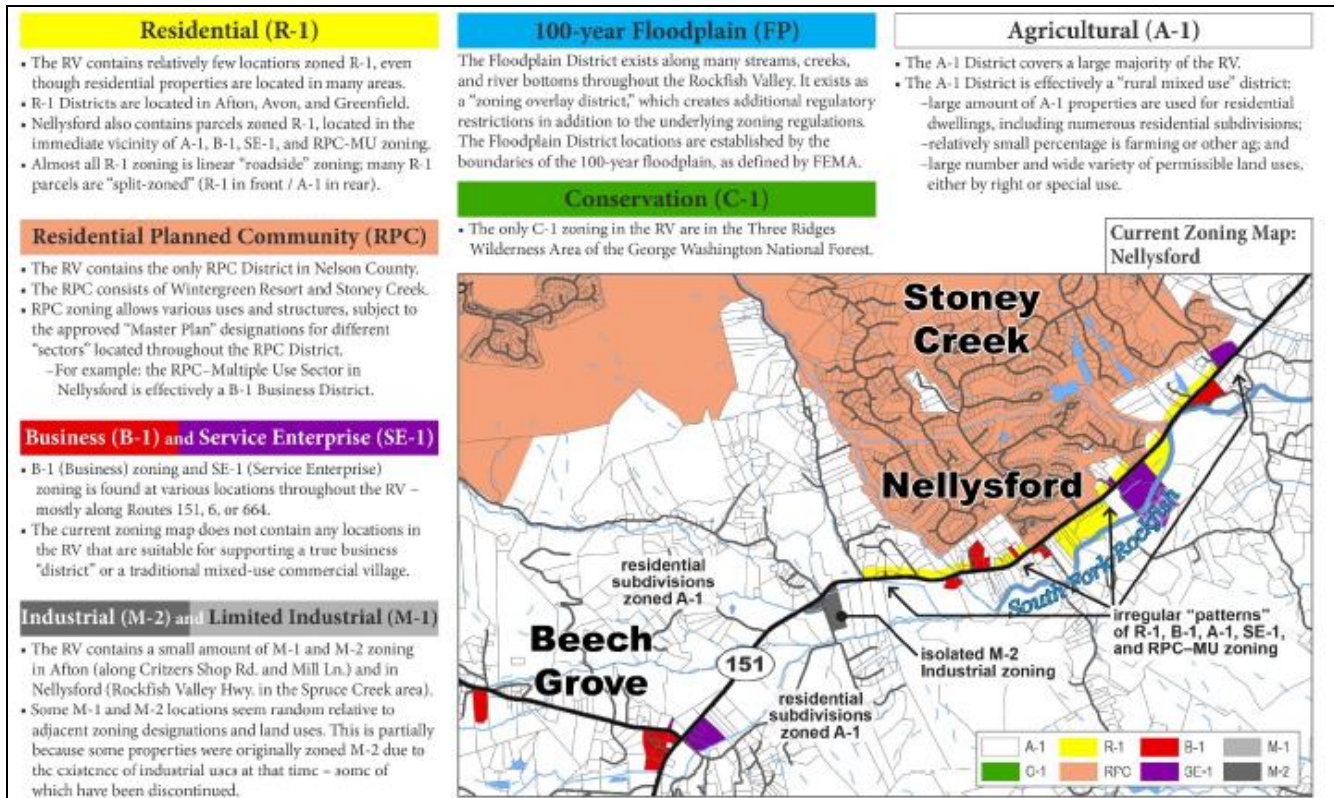


### Zoning Maps

Mr. Padalino noted the completed zoning analysis and stated that there was a bit of a mix and lack of clarity on what it should be. He noted that there were incompatible uses located near each other and no discernable district or area for concentrated commercial or mixed use areas. He added that there was a small amount zoned R-1 or R-2 and most were in the A-1 district.



## Zoning and Land Use Analysis



Mr. Padalino noted the difference between Zoning and Land Use as follows:

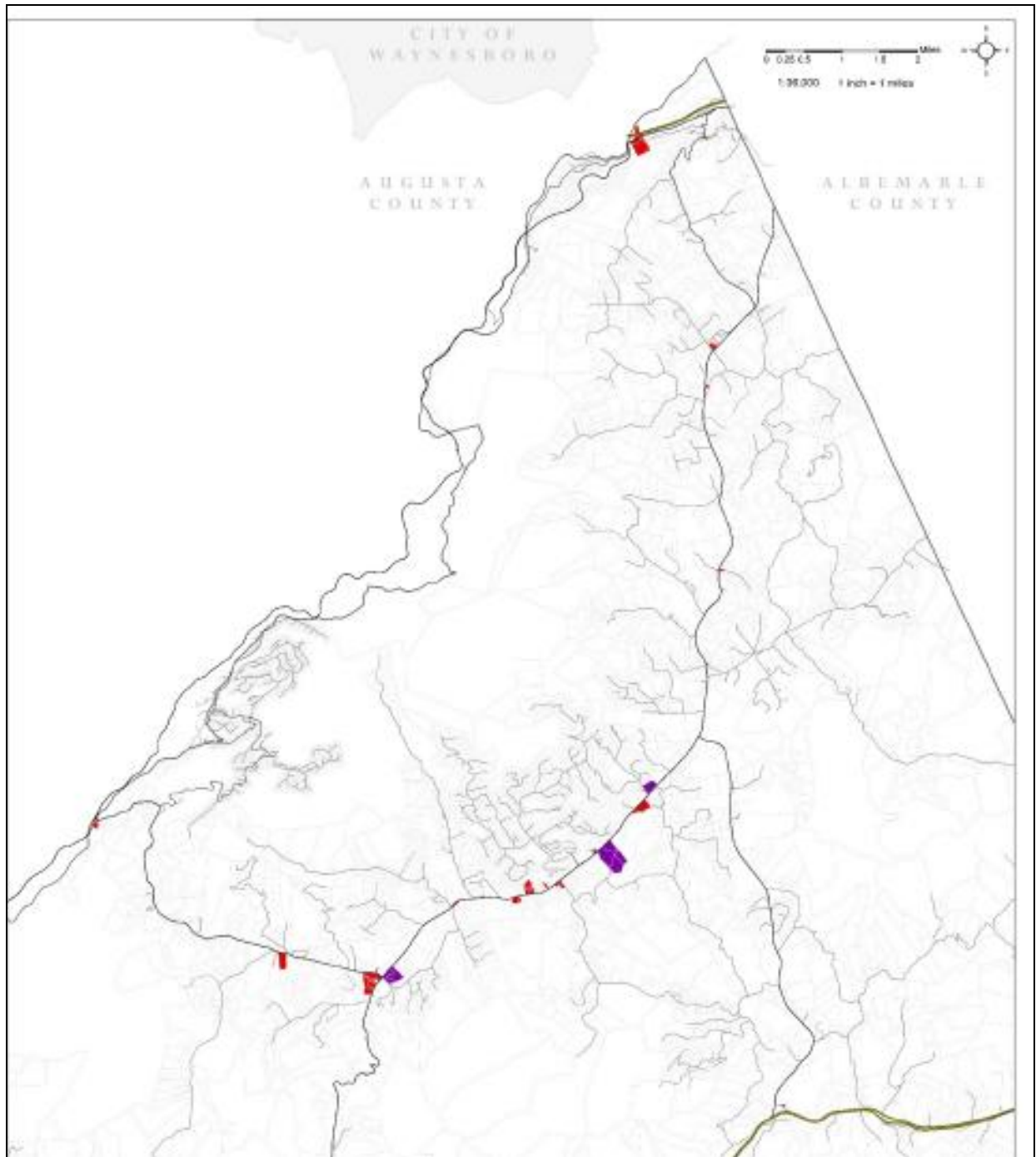
**Zoning:** is the system of legally-binding local regulations which designate specific districts, where some land uses are permissible and other land uses are not permissible.

**Land Use:** refers to the actual uses and structure that are found on a property, regardless of the zoning designation.

He then reviewed the following maps showing various Zoning and land use designations:

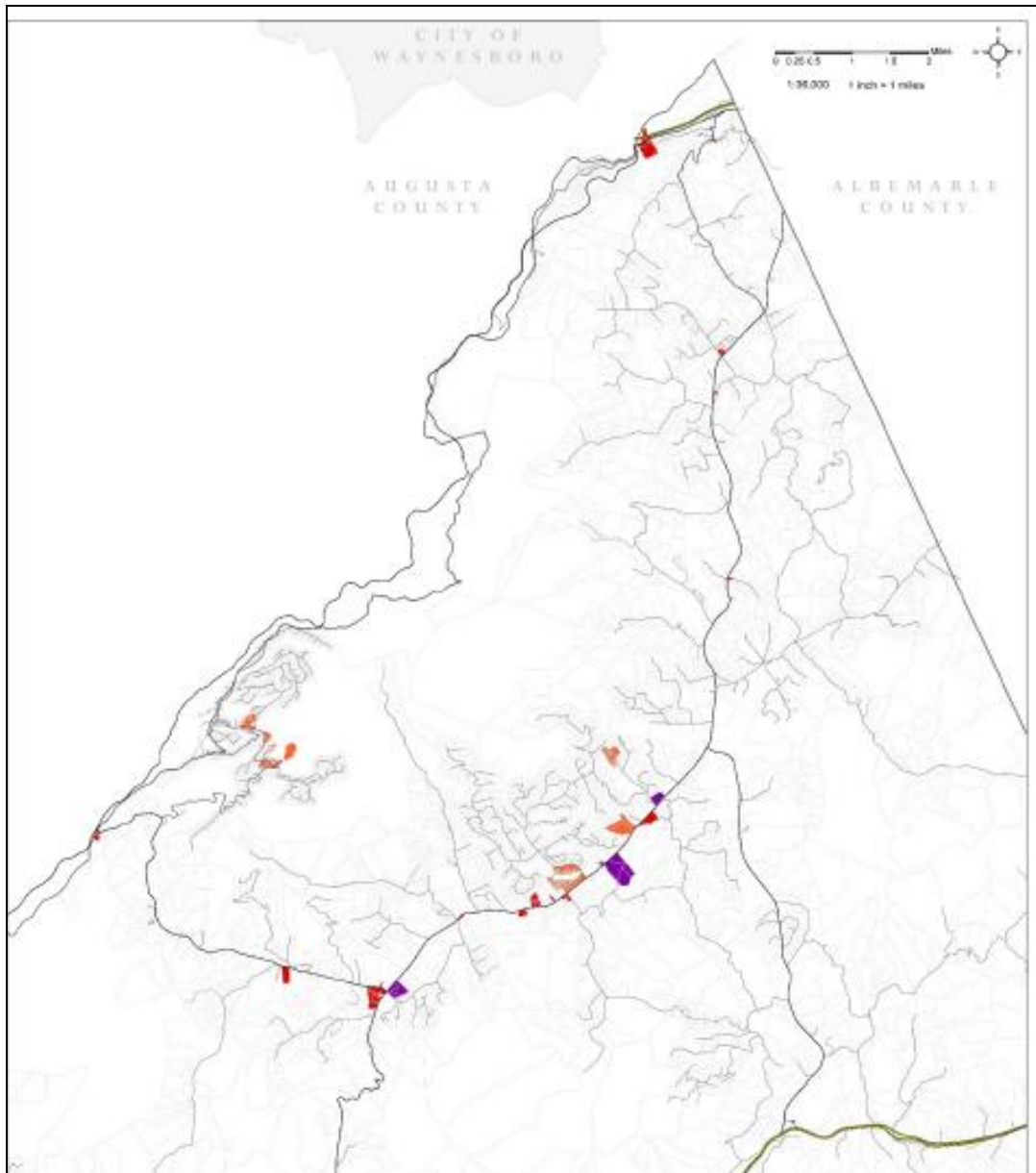
April 11, 2017

**Commercial Zoning:  
B-1 and SE-1**



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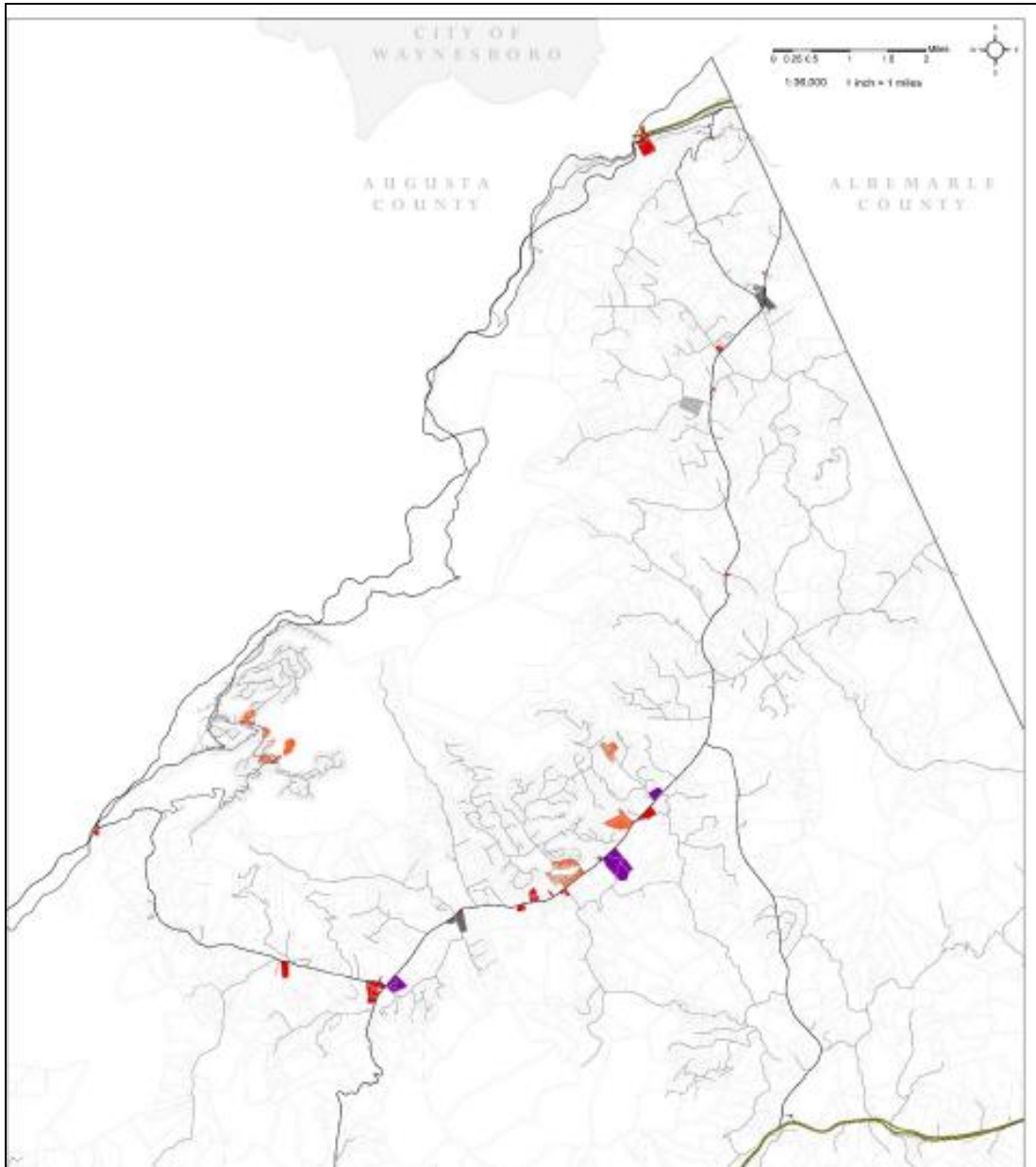
**Commercial Zoning:  
B-1, SE-1, and RPC-MU**





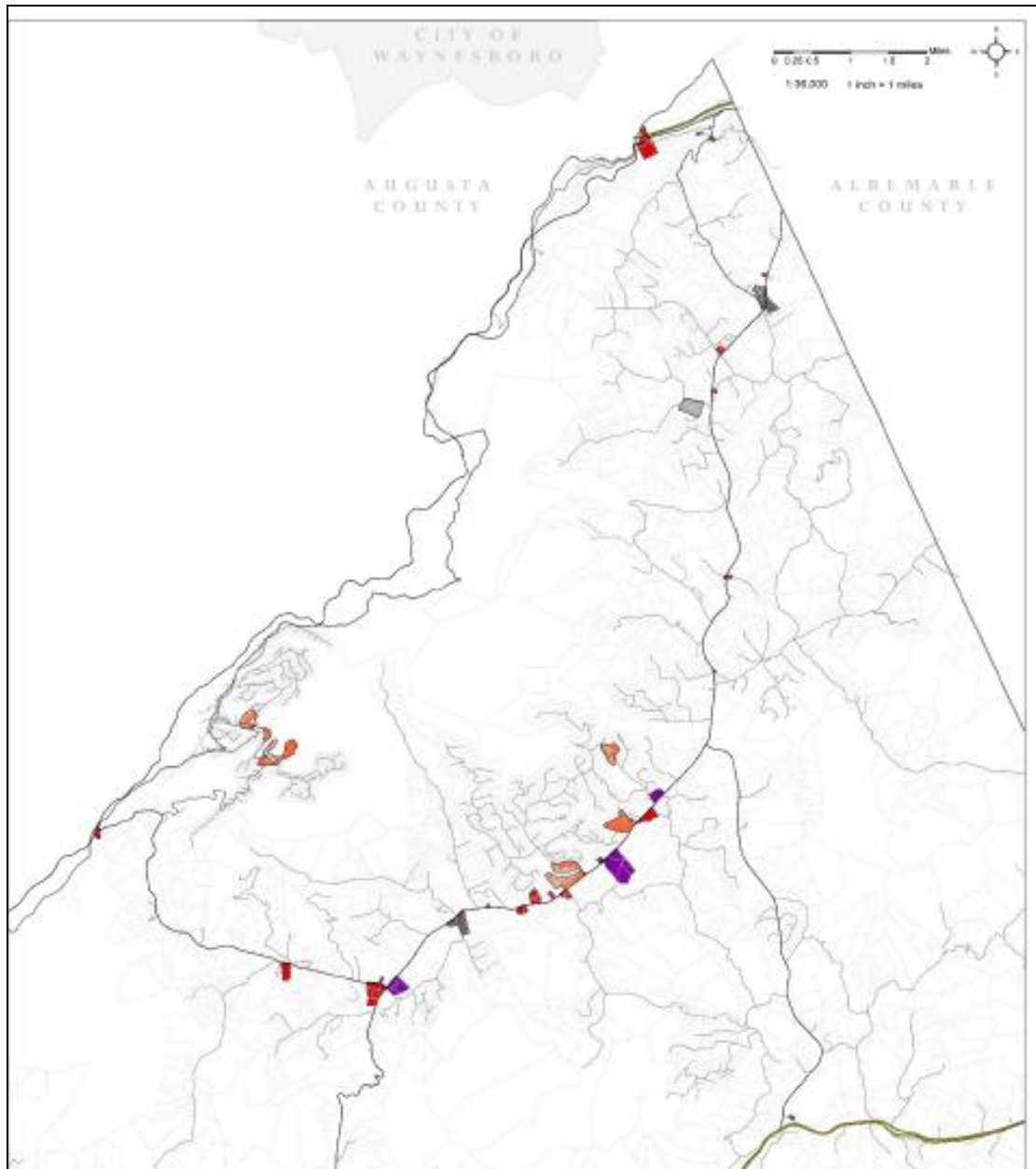
April 11, 2017

**Commercial Zoning:  
B-1, SE-1, RPC-MU, M-1, and M-2**



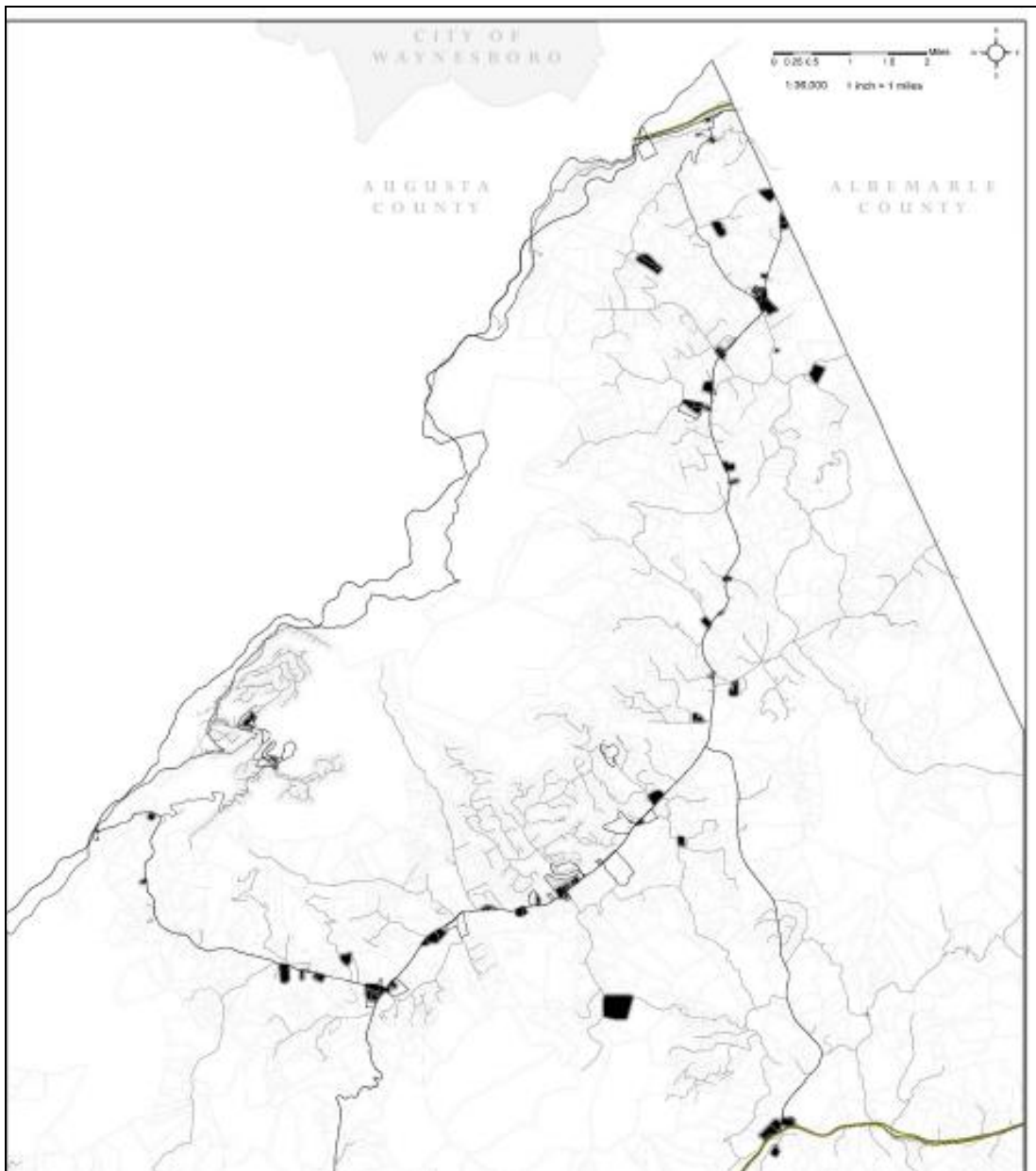
April 11, 2017

**All Commercial Zoning  
(outlined)**



April 11, 2017

**All Commercial Zoning  
(outlined)  
vs  
All Commercial Land Use  
(black)**



Mr. Padalino noted that most of the B-1 and SE-1 properties were found in the south rockfish area. He noted the maps showed the RPC as being designated as a mixed use sector which included Wintergreen. He noted in those sectors, they could do anything listed in a Business District.

He then noted that the full distribution of land uses was not correlated with commercial zoning and Mr. Hale suggested that zoning may not be doing any good. Mr. Padalino suggested that the County should look at that.

Mr. Padalino then noted Phase II of the study pertained to Area Planning and denoted recommended goals, objectives, and strategies as follows:

#### Community Goals:

### Area Planning: Strategic Recommendations by Topic

## Community

**Goal C-1: Develop and implement common-sense growth management policies that balance development and rural preservation.**

**Objective A:** Identify appropriate future development areas as well as rural preservation areas.

- Evaluate suitability of locations in Afton, Rockfish Gap, Nellysford, and Beech Grove for designation as future development areas.
- Identify sections of the highway corridors and other parts of the Rockfish Valley that are high-priority areas for the preservation of rural character or protection of scenic resources.

**Obj. B:** Conduct a focused effort to update County policies, plans, and ordinances to create a stronger framework for balancing development and rural preservation.

- Review and update the Comprehensive Plan, with particular emphasis on updating the Future Land Use Plan and Map.
- Review zoning map in areas designated as future development areas and designated rural preservation areas, and identify appropriate modifications for further evaluation.

**Goal C-2: Increase access to public space(s) within the Rockfish Valley.**

**Obj. A:** Connect with local stakeholders and explore shared interest(s) and ideas relating to a potential place-making project.

- Conduct a vision-casting workshop in collaboration with community stakeholders, to evaluate public interest and feasibility of establishing a new "central gathering place" in the Nellysford area.
- Convene committed stakeholders to more formally establish of a collaborative partnership, for the purpose of successfully advancing a public "place-making" project.

**Goal C-3: Increase access to natural landscapes and outdoor recreation amenities.**

**Obj. A:** Complete the Blue Ridge Tunnel rehabilitation and rails-with-trails project.

**Obj. B:** Utilize the Old Howardsville Turnpike as a recreational facility (hiking trail) connecting the Rockfish Valley to the crest of the Blue Ridge.

- Explore all opportunities to partner with local, state, and federal agencies and non-profit groups.

**Obj. C:** Establish a greenway or multi-use path between Wintergreen Resort, Stoney Creek, Nellysford, and Beech Grove.

- Explore all opportunities to partner with local community stakeholders; local, state, and federal agencies; and non-profit groups to establish a new recreational amenity.
- Maximize the value of any such new amenity by successfully connecting with existing trails and other community assets.

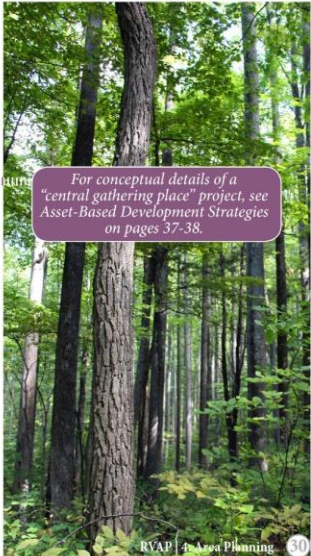
**Goal C-4: Prepare for the specific needs of an aging population.**

**Obj. A:** Address the changing needs of the community by specifically providing community services that are consistent with Nelson County's demographic trends of an aging population.

**Goal C-5: Protect and promote local history and culture.**

**Obj. A:** Protect local historical resources and promote local cultural heritage.

- Support and promote the South Rockfish Rural Historic District.
- Incorporate historical interpretative signage into any place-making project in the Nellysford area and at scenic overlooks.



For conceptual details of a "central gathering place" project, see Asset-Based Development Strategies on pages 37-38.

RVAP | Area Planning 30

Mr. Padalino noted Goal C-1: Develop and implement common-sense growth management policies that balance development and rural preservation. Relative to those were the objectives (A) of identifying appropriate future development areas as well as rural preservation areas and (B) conducting a focused effort to update County policies, plans, and ordinance to create a stronger framework for balancing development and rural preservation. These objectives included evaluation locations in Afton, Rockfish Gap, Nellysford, and Beech Grove for designation as future development areas, identifying sections of highway corridors that are high-priority areas for the preservation of rural character, reviewing and



updating the Comprehensive Plan, emphasizing the Future Land Use Plan and Map, reviewing zoning map in areas designated as such and identifying appropriate modifications for further evaluation.

Mr. Padalino then noted Goal C-2: Increase access to public space(s) within the Rockfish Valley. Relative to this was objective (A) to connect with local stakeholders and explore shared interests and ideas relating to a potential place-making project. This objective included conducting a vision-casting workshop to evaluate public interest and feasibility of establishing a new “central gathering place” in the Nellysford area and formally establish a collaborative partnership for successfully advancing a public “place-making” project.

### Agriculture Goals:

## Area Planning: Strategic Recommendations by Topic

### Agriculture

**Goal A-1: Increase and strengthen the agricultural economy within the Rockfish Valley, as measured by number of ag operations, volume of ag products, or value of ag products.**

**Objective A: Ensure that County plans and policies support the protection and productive use of lands that are most suitable for farming.**

- i. Update the Comprehensive Plan to identify “prime” agricultural soils, and other soils most suitable for ag operations.
- ii. Ensure that the Zoning Map and Zoning Ordinance adequately support and protect agricultural landscapes and family farms in the Agricultural A-1 zoning district.
- iii. Consider adoption of specific recommendations identified by the Green Infrastructure Center’s 2011 “Nelson County Policy Guide” and “Nelson County Stewardship Guide.”

**Obj. B: Expand the following agricultural sectors within the Rockfish Valley: tree fruit/orchards; grapes/vineyards; and barley (or other grains for malting or distilling).**

- i. Increase all three target sectors by 10% or more within 5 years, as measured by production volume, sales volume, or total value of products.
- ii. Increase one or more target sectors by 50% or more within 5 years, as measured by production volume, sales volume, or total value of products.
- iii. Increase amount of land in tree fruit/orchards production and in grapes/vineyards production at existing farm wineries.

**Goal A-2: Identify and support key resources, activities, and partnerships that will strengthen and increase the success of existing farms and ag operations.**

**Obj. A: Improve local opportunities for direct-to-consumer agricultural sales.**

- i. Promote and support the development of a permanent year-round community farmers market location in the Rockfish Valley.

**Obj. B: Increase awareness among property owners and ag operators about relevant resources, programs, and info.**

- i. Assemble and provide educational resources on voluntary land use practices, such as conservation easements and Agricultural & Forestal District programs.
- ii. Assemble and provide educational resources on farming best practices.
- iii. Assemble and provide contact info for agencies and organizations that provide property owners and ag operators cost-sharing opportunities or technical assistance.
- iv. Conduct an annual event for local ag producers and agritourism operators to discuss best practices; promote Nelson agriculture; and foster collaboration among local producers. This annual event would incorporate FFA and 4-H participants; and would be conducted in partnership with all relevant farm-related organizations such as Virginia Cooperative Extension, VDACS, Virginia Tech, Farm Bureau, TJSWCD, NRCS, Virginia Cattlemen’s Association, Virginia Wineries Association, Virginia Craft Brewers Guild, and others.

*The Rockfish Valley, like all of Nelson County, is home to an authentic agricultural heritage and a rich tradition of agricultural excellence. A successful agritourism industry is now rooted in the Rockfish Valley area, including orchards, vineyards, farm wineries, craft breweries, and farm distilleries.*



Mr. Padalino noted Goal A-1: Increase and strengthen the agricultural economy within the Rockfish Valley, as measured by number of ag operations, volume of ag products, or value of ag products and Goal A-2, Identify and support key resources, activities, and partnerships that will strengthen and increase the success of existing farms and ag operations. Relative to those were the objectives of ensuring that County plans and policies supported the protection and productive use of lands that are most suitable for farming, expanding the tree fruit/orchards; grapes/vineyards; and barley or other grains for malting or distilling, improving local opportunities for direct-to-consumer ag sales, and increasing

awareness among property owners and ag operators about relevant resources, programs, and information.

## Economy Goals:

Area Planning: Strategic Recommendations by Topic			
<div> <div>(↑\$)</div> <div>Economy</div> <div>(↑\$)</div> </div>			
<p><b>Goal E-1: Recognize (and capitalize on) connections between local economic vitality and rural character.</b></p> <p>Objective A: Continue to utilize the area's rural character, natural scenery, and attractive sense of place as the foundation for sustained economic vitality.</p> <p>Obj. B: Preserve and protect the area's rural character as a critically important element of the local economy.</p>	<p><b>Goal E-3: Capitalize on the Rockfish Valley's proximity to National Parks and other recreational amenities.</b></p> <p>Obj. A: Position and promote the area as a gateway into the Blue Ridge Parkway, Shenandoah National Park &amp; Skyline Drive, the Appalachian Trail, and the George Washington National Forest.</p> <p>i. Continue to coordinate with NPS, USFS, VDOT, VA DCR, and local partners to maximize the recreational and economic potential of the Blue Ridge Tunnel and Rockfish Gap area.</p> <p>ii. Explore opportunities to better capitalize on U.S. Bicycle Route 76, including potential connection(s) with the Blue Ridge Tunnel or other amenities and attractions in the Rockfish Gap area.</p>	<p>a permanent, indoor/outdoor farmers market facility – ideally as a key component within a walkable place of commerce, recreation, leisure, and public amenities.</p> <p>i. Bring together major stakeholders and all interested community members; and help facilitate a coordinated "place-making" effort. This would most logically be focused on the Nellysford area.</p>	<p>Obj. B: Promote the Rockfish Valley's many community assets to help attract outdoor rec industry jobs (including production and light manufacturing of gear and equipment, product assembly, product repair, etc.).</p>
<p><b>Goal E-2: Protect community identity and rural character from undesired change.</b></p> <p>Objective A: Prevent land development and commercial or industrial growth from diminishing the area's special sense of place, by ensuring that development is compatible with existing landscapes and land uses, and also compatible with future land use plans.</p> <p>i. Update the "Future Land Use Plan" in the Comprehensive Plan.</p> <p>ii. Identify appropriate future development areas as well as rural preservation areas.</p> <p>iii. Encourage and facilitate the location of new development, redevelopment, and business expansion within designated future development areas.</p>	<p><b>Goal E-4: Support and promote economic development opportunities in agriculture and agritourism.</b></p> <p>Obj. A: Promote family farms and direct-to-consumer sales.</p> <p>Obj. B: Promote agritourism as a way to sustain the profitability of farms and to preserve a rural landscape and lifestyle.</p> <p>Obj. C: Offer partnership and collaborative leadership towards locating and developing</p>	<p><b>Goal E-5: Support growth in the outdoor recreation industry.</b></p> <p>Obj. A: Attract and locate outfitters, tour guides, or similar businesses that provide outdoor rec services and activities in the Rockfish Valley (and throughout Nelson County).</p>	<p><b>Goal E-6: Support strong coordination and information-sharing among the business community.</b></p> <p>Obj. A: Create annual fact sheet(s) on new business creation and economic growth within the study area.</p> <p>Obj. B: Enhance open channels of communication between business owners and County government.</p> <p>Obj. C: Review/streamline requirements for new business registration.</p>
<p>31 RVAP   4. Area Planning</p>		<p><b>Goal E-7: Emulate "best practices" and apply "lessons learned" from comparable rural VA communities.</b></p> <p>Obj. A: Research comparable rural Virginia communities, and identify relevant "lessons learned" and local "best practices."</p> <p>i. Compare Virginia best practices to Nelson County plans and policies.</p> <p>ii. Identify "low-hanging fruit" types of opportunities in the Rockfish Valley to adopt best practices (with local modifications).</p>	

Mr. Padalino noted the Goals related to Economy as Recognizing and capitalizing on connections between local economic vitality and rural character, protecting community identity and rural character from undesired change, capitalizing on the Rockfish Valley's proximity to National Parks and other recreational amenities, supporting and promoting economic development opportunities in agriculture and agritourism, supporting growth in the outdoor recreation industry, supporting strong coordination and information-sharing among the business community, and emulating best practices and applying lessons learned from comparable rural Virginia communities.

Natural Resources Goals:

## Area Planning: Strategic Recommendations by Topic

### Natural Resources

**Goal NR-1:** Ensure the sustainable use and protection of water resources quantity and quality.

**Objective A:** Protect groundwater resources from depletion and pollution.

- Partner with regional and state agencies and universities to evaluate the Rockfish Valley's groundwater resources, including analysis of the local carrying capacity for residential, agricultural, recreational, and industrial uses.
- Incorporate the Groundwater Pollution Prevention Map as a tool in long-range planning and current development review activities.

**Obj. B:** Protect surface water resources and surrounding riparian corridors, floodplains, and wetlands.

- Update and improve floodplain management program and policies.
- Explore potential value of participating in (voluntary) "Community Rating System" program with NFIP and FEMA.
- Include Wetlands as an available Layer on the County's online GIS.

**Goal NR-2:** Protect the quality, integrity, and connectivity of the natural landscape network.

**Obj. A:** Support the protection of the area's "natural landscape network" and "green infrastructure cores."


- Consider adoption of updates to Comp Plan and amendments to Zoning Ordinance, as recommended in the *Nelson County Policy Guide* and *Nelson County Stewardship Guide* (Green Infrastructure Center, 2011).
- Incorporate green infrastructure resource mapping and analysis into the County's Site Plan review process.
- Create *performance incentives* in the Site Plan review process for project details that incorporate Low Impact Development practices, conservation of high-quality green infrastructure resources, and protection of steep slopes.

**Goal NR-3:** Recognize (and take advantage of) the connections between scenic resources, watershed protection, tourism, and rural economic vitality.

**Obj. A:** Identify and protect priority scenic viewsheds along Scenic Byways.

**Obj. B:** Ensure that new commercial and industrial development is planned, designed, and constructed with appropriate context-sensitive details.

- Adopt new Site Plan Checklist standards applicable to new development projects within a "RV Corridor" area, in order to:
  - Create a clear, consistent set of *required minimum standards* for details such as screening, landscaping, setbacks, signage, and exterior lighting; and
  - Create *performance incentives* in the Site Plan review process for project details that exceed minimum "RV Corridor" requirements.



Three Ridges Wilderness Area,  
George Washington National Forest

Humpback Rocks, Blue Ridge Parkway





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Mr. Padalino noted the natural resource goal of Protecting the quality, integrity, and connectivity of the natural landscape network through supporting the protection of the area's natural landscape network and green infrastructure cores. He added that this could be accomplished by considering adoption of updates to the Comprehensive Plan and amendments to the Zoning Ordinance, as recommended in the Nelson County Policy Guide and Nelson County Stewardship Guide provided by the Green Infrastructure Center in 2011. He also suggested incorporating the green infrastructure resource mapping and analysis into the County's Site Plan review process, and creating performance incentive in that process for project details that incorporate low impact development practices, conservation of high-quality green infrastructure resources, and protection of steep slopes.



## Transportation Goals:

**Area Planning: Strategic Recommendations by Topic**


Transportation


<p><b>Goal T-1: Continue to implement priority recommendations in VDOT's 2013 Route 151 Study.</b></p> <p><b>Objective A:</b> Collect more accurate road-way data for Rte. 151 and Rte. 6 traffic.</p> <p>i. Coordinate with VDOT to conduct traffic counts that better capture seasonal and weekend conditions, to complement the existing traffic data which only represents mid-week traffic patterns.</p> <p>ii. Evaluate split between personal vehicles and commercial truck traffic.</p> <p><b>Obj. B:</b> Continue to request transportation funding through VDOT's SMART SCALE competitive funding program.</p> <p>i. Consider the cost-effective strategy of committing County funds as a one-time "local match" for SMART SCALE projects. That would significantly strengthen the SMART SCALE application scoring, and significantly improve project(s) feasibility.</p> 	<p><b>Goal T-2: Improve road safety.</b></p> <p><b>Obj. A:</b> Coordinate with VDOT and other stakeholders to reconsider reduced speed limits along the Rte. 151 tourism corridor.</p> <p>i. Evaluate the possibility of reducing the speed limit from 55 MPH to 45 MPH between Rte. 250 and Brent's Gap.</p> <p><b>Obj. B:</b> Conduct speed study to identify appropriate speed limits in Nellysford.</p> <p>i. Evaluate the possibility of reducing speed limit from 45 to 35 MPH through Nellysford.</p> <p><b>Obj. C:</b> Coordinate with public safety officials to improve safety and reduce risks.</p> <p>i. Assess possibility of enhanced highway patrol enforcement (with specific focus on speeding as well as impaired driving).</p> <p>ii. Utilize available resources or programs to increase public awareness and information about safe driving.</p>	<p>ii. Identify opportunities to consolidate or otherwise simplify existing public signage.</p> <p>iii. Identify any situations requiring maintenance or repair.</p> <p><b>Obj. B:</b> Implement a new community signage project, with improved wayfinding and tourism information using attractive and consistent new signs.</p> <p>i. Design and install welcome signage at "gateway" locations to create a sense of arrival and to strengthen the area's tourism brand. This would also alert drivers of their entry into a high-activity tourism zone with challenging road conditions (hills/curves).</p> <p>ii. Design and install milestone signage to help tourists navigate the roadways and find their destinations more safely.</p>	<p><b>Obj. B:</b> Evaluate the demand and the value of establishing new Park-n-Ride locations.</p> <p>i. Partner with VDOT, TJPDC, and Ride-Share to identify potential locations and to pursue available resources and assistance.</p>
<p><b>Goal T-3: Improve public signage throughout the Rockfish Valley and at important "gateway" locations.</b></p> <p><b>Obj. A:</b> Coordinate with VDOT to evaluate and improve existing signage.</p> <p>i. Identify location(s) of outdated signs; remove or replace such signs.</p>			
<p><b>Goal T-4: Support Park-n-Ride lots.</b></p> <p><b>Obj. A:</b> Improve and formalize existing Park-n-Ride lots at appropriate locations.</p> <p>i. Evaluate existing informal lots, including locations at the intersection of Route 6 and Route 151; the intersection of Route 6 and US-29; and along Route 664.</p> <p>ii. Identify needed improvements at each location, including possible surface treatment, lighting, trash and recycling features, or other improvements.</p>			
<p><b>Goal T-5: Improve transportation alternatives and options for all users.</b></p> <p><b>Obj. A:</b> Continue to support regional transit service (i.e. JAUNT), including fixed routes and on-demand service, to address needs of an aging population and the mobility-impaired.</p> <p><b>Obj. B:</b> Encourage addition of sidewalks, bike lanes, or similar "multi-use path" in Nellysford, especially during new development and redevelopment activities.</p> <p>i. Incorporate "best practices" that maximize safety, including design details and also signage to alert drivers about increased presence of pedestrians, bicyclists, etc.</p> <p><b>Obj. C:</b> Plan for a more complete and better-connected transportation network.</p> <p>i. Evaluate opportunity(s) to implement parallel service roads, including bicycle and pedestrian accommodations, in appropriate locations that have higher concentrations of commercial activity and traffic congestion.</p>			

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Mr. Padalino noted transportation goals as: Continue to implement priority recommendations in VDOT's 2013 Route 151 Study, improve road safety, improve public signage throughout the Rockfish Valley and at important "gateway" locations, support park-and-ride lots, and improve transportation alternatives and options for all users.

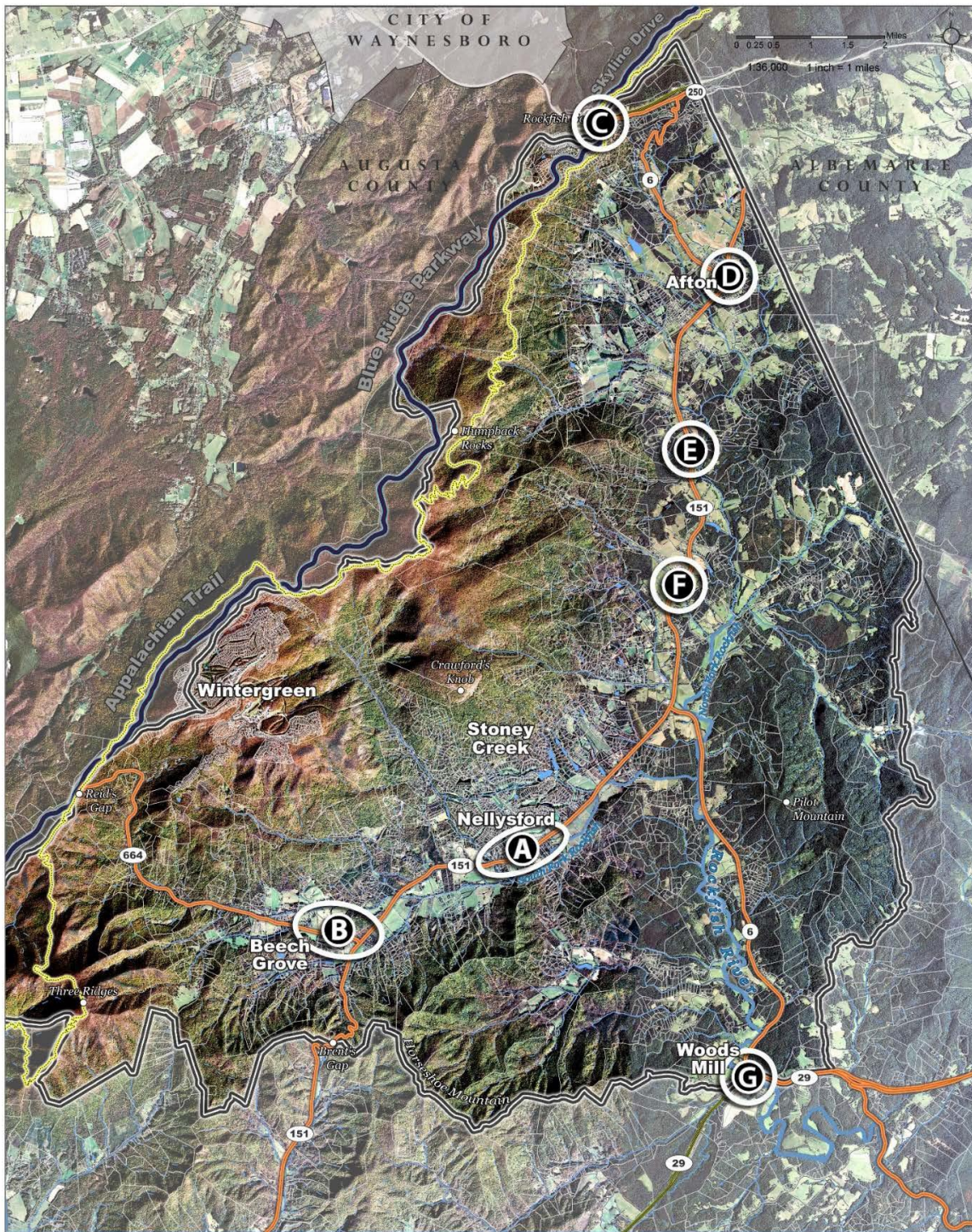
Mr. Padalino then read aloud the Vision Statement for the Rockfish Valley as follows: The Rockfish Valley is a special place in Virginia's Blue Ridge Mountains. The Rockfish Valley is defined by a powerful sense of place; a high quality of life; a unique local economy; and a deep sense of community pride.

## Growth Management Strategies:

Mr. Padalino then discussed growth management strategies noting that they had developed a potential future development areas map as follows:



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He added that there were seven (7) potential locations to designate with three (3) levels of growth: reduced, moderate, and accelerated models provided.

He noted the future development areas to be A: Nellysford, B: Beech Grove, C: Rockfish Gap, D: Afton (Tanbark), E: Afton (Rockfish Orchard), F: Greenfield (Chapel Hollow, and G: Rockfish River at junction of VA-6 and US-29. Mr. Padalino noted the locations other than Nellysford, Woods Mill, and Rockfish Gap were selected based on existing land uses, zoning patterns, and highway suitability analysis that was done. He noted those locations were straighter and less challenging.

Mr. Padalino noted that the Limited Growth option included A: Nellysford, C: Rockfish Gap, and G: Woods Mill; the Moderate Growth option included the Limited Growth Options plus G: Woods Mill, and the Accelerated Growth option involved all seven (7) locations.

#### Asset-Based Development Strategies:

Mr. Padalino noted asset-based development strategies to be a way of thinking about economic development and community development in one framework. He added that this strategy was to make what was already there better; it maximized the value of existing assets and achieved balance while supporting economic vitality.

He then noted that the Blue Ridge Tunnel was an example as well as the Old Howardsville Turnpike. He added that they could look at turning the Old Howardsville Turnpike into a trail and then look at the Nellysford area for the creation of new multiuse trails between Nellysford and Wintergreen Resort. He noted that non-vehicular access could be created between the Mountain and the Valley area and there was an existing trail there that had been used; which could generate value and benefits for residents. He then suggested that they could extend the multiuse path along Route 151 from Nellysford and Beech Grove.

Mr. Padalino then noted the agritourism venues in the area in proximity to the Beech Grove Park and Devil's Backbone trails and the potential for a place making project in the middle; where a new central gathering place could be developed. He noted that this would include successful collaboration and partnerships and he envisioned a public square or village green with native landscaping and possibly a location for a permanent farmer's market facility including indoor/outdoor spaces. He added that they could include a tourism/welcome center there and there could be bicycle and pedestrian connectivity.

Mr. Padalino then noted that there were many local businesses established and thriving in the Rockfish Valley and it was the County's economic engine. He added that it had its shortcomings and was facing challenges and he thought that uncoordinated growth was leading to transportation issues. He also advised that limited public amenities and the ACP would negatively impact community resources and therefore the economy. He noted that asset based strategies could provide the dual purpose of balancing growth and change with rural preservation. He added that sustained economic success was directly

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linked with the protection, promotion, and value of natural assets and therefore it was recommended that the County protect and improve the condition of its assets and increase access to them. He noted that the County had to get it right in terms of development.

In conclusion, Mr. Padalino presented next steps as follows:

- Refer the Comprehensive Plan to the Planning Commission for their review and recommendations, with particular focus on the existing language dealing with Development Models and the Future Land Use Plan and Future Land Use Map;
- Authorize staff to advertise a BOS public hearing on the Rockfish Valley Area Plan, for the purpose of conducting a “listening session” to hear directly from local property owners, local business owners, and other community stakeholders;
- Initiate and convene a “place-making task force” to begin exploring (in detail) the concepts of a new publicly-accessible “central gathering place” and/or a new recreational “multi-use path” or similar trail in the Nellysford area;
- Schedule a BOS work session – or a joint meeting with the PC – to get into a more detailed review of RVAP recommendations involving issues pertinent to the Rockfish Valley, such as growth management, tourism planning, and/or asset-based development strategies.

Mr. Harvey then opened the floor for questions or discussion.

Ms. Brennan thanked Mr. Padalino for the wonderful way the plan had come about; citing that community engagement had been great as well as the analysis.

Mr. Bruguire noted that any planning had to go back to VDOT to help with traffic concerns. He noted that GPS routed people through Nelson over Route 6 to Route 29 as a short cut. He added that something needed to be done in Charlottesville for trucks that were going west. He reiterated that help was needed there to solve problems in order to have further development in the Rockfish Valley area; getting rid of unnecessary traffic was a necessity.

Mr. Hale noted that they had tried to do that and Mr. Harvey noted that the last Route 151 study had been the best study done yet and things were getting done. He added that \$10 Million was being spent at the intersection of Route 151 and Route 250.

Mr. Harvey noted that the RVAP did not touch on the type of businesses needed. He stated that the County needed those businesses that served businesses that were already here; bringing in new traffic was not wise. He then added that he felt that the Nellysford residents needed protection and that was why development had been kept on the west side of Route 151, while the majority of residential housing

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was on the east side. He noted that he was concerned about the designated growth areas shown; since anything done at B or A impacted everything back up to Route 250 and it was not only on weekends. He noted that overall the plan had touched on a lot of things.

He then stated that Route 664 was the gateway to Wintergreen and he did not want to put up a Dollywood there. He noted that the zoning was SE-1 there along Route 664; however most were parking behind the buildings to the rear and there were 75 foot setbacks. He reiterated he did not want to clutter up that intersection.

Mr. Harvey added that other parts of the County needed to be promoted. He noted that the Piney River area was the easiest develop-able area because of the presence of water and sewer, it was virtually flat, and it was not good agricultural land. He added that Piney River was once an economic engine of the county along with Schuyler and they became a ghost town after the plants closed.

He noted that the Afton area was successful because the wineries were close together. He noted he liked the plan overall; however he did not like the one page regarding Nellysford. Mr. Padalino noted that things could be done with sensitivity and not a heavy hand. He added that he thought that he was right on with development of other areas. He advised that the TJPDC was also working on a Route 29 development study where water and sewer was available and he also thought that Lovington was ripe for redevelopment; some of which was happening. He suggested that the Board could refer the plan to the Planning Commission in order to look at it comprehensively along with Comprehensive Plan.

Mr. Hale noted that the plan represented a lot of work and ideas and although they may not agree with all of them, it provided them with something to work with. He agreed with Mr. Harvey that he did not want the Route 664 turn to be grown up. He noted that the reason the plan was done was because development pressure was there. He added that they needed to get the Route 29 plan finished and then look at them together. He reiterated that the RVAP was a useful tool and he commended the work of Mr. Padalino and the PDC.

Mr. Saunders then inquired about the status of the Dollar General store in Nellysford. Mr. Padalino noted that they had all of their permits and were grading the site. Mr. Harvey added that he had heard they had set up the erosion and sediment control measures and then nothing else had been done. Mr. Carter advised that he thought the building plans were in place.

Mr. Saunders then noted that he had been hearing there was a lack of housing or hotels/lodging in the County and that was the thing needed most right now. Mr. Padalino noted that lodging projects had been approved but had not yet come to fruition; adding that the Devil's Backbone special use permits were just approved.

Mr. Carter then commended Mr. Padalino for the work done on the RVAP. Mr. Wood Hudson of the TJPDC thanked the Board and citizens for their support and public engagement; noting that made the plans possible.

#### E. VDOT Report

Mr. Robert Brown of VDOT was present to report.

Mr. Harvey noted he wished VDOT would react to the needed speed limit reduction on Route 151 and Mr. Brown noted he had to look at the whole corridor and it was still pending. Mr. Harvey noted they wanted it lowered for safety reasons, not commercial reasons. He added that the speed limit should be 35 mph at the Route 6 construction area and he appreciated all of the improvements being done.

Mr. Harvey added that he would like to see Mr. Bruguiera's suggestion done with the truck traffic. He reiterated that you could not get onto Route 64 going west and the truck traffic created a bottleneck.

Mr. Brown then reported the following:

1. They were working on the pipe on Dick Woods Road and it may be complete.
2. The Buck Creek intersection will be taken care of.
3. They will look at the alignment of the intersection at Diggs Mountain Road and make a decision.
4. The Route 151 speed zone study was pending.
5. They are starting the Route 664 Cedar Creek Rural Rustic project and will be starting the Wright's Lane project in the next few weeks.
6. They will start work on Old Robert's Mountain Road and Cub Creek Road after July 1, 2017.
7. \$1 Million in unexpected additional secondary road paving funds would be split between Nelson and Amherst counties. These funds would be used to tar and gravel existing hard surfaced roads.
8. Working on the SSYP now and would have to pull projects off of the priority list to go into the new plan. Mr. Brown noted that project closeouts were done last fall and some of the Nelson projects still had money left on them that would be applied to the Old Robert's Mountain Road and Cub Creek Road projects. He added that these were going into the plan to be funded in the six year plan.

Ms. Brennan asked if that changed anything and Mr. Harvey noted that Cub Creek Road and Old Roberts Mountain Road would come off and the others would move up in priority.

Mr. Bruguiera asked about funding for secondary paved roads needing work and he added that the trench widening done on Tan Yard Road had made a huge difference. He noted there were the same issues at St. James Church Road and that needed to have trench widening done. Mr. Brown noted that road was also a cut through to Claypool Road and they could look at that and possibly program funds.

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He noted however the trench widening done on Tan Yard Road was done with annual maintenance funds. He noted that those funds were overspent and with it being a two year balance, they should receive operational funds next year. He added that those were the only funds that could be used for that. He noted that they would look at that and any other special areas the County had.

Mr. Bruguire asked if they could use the tar and gravel funds for that and Mr. Brown advised that those funds had to go towards paving. He added that they were hoping to free up next year's paving money to help resurface blacktop roads.

Mr. Harvey then noted that they had discussed the new turn lane going to the Rockfish convenience center and he noted that the County hoped to pave the road back to the entrance to RVCC at the convenience center entrance. He noted this was narrow and breaking off and had some slope to it. Mr. Brown noted they could try to accommodate that request but would have to look at the project budget there. Mr. Bruguire then asked if there was any extra snow removal money to roll over from this year and Mr. Brown noted that the advanced \$1 Million was unused snow removal funds.

Mr. Hale then inquired about reducing the speed limit from 35 mph to 25 mph on Route 640 Wheeler's Cove Road. He noted surface treatment had been done the previous June and he was getting complaints that people were now driving faster there. Mr. Brown noted he thought the narrowest area on that road was 16 feet and he did not think they would post the speed limit any lower there and the complaint was an enforcement issue. He added that speed limit was under the Rural Rustic policy of Virginia; which states those roads shall be posted at 35 mph; however he thought it could be lowered if VDOT traffic engineers thought it was warranted.

Ms. Brennan asked if they could put signs for horses crossing or children playing there and Mr. Brown noted that the children playing signs were now under County regulation and policy and he thought few had elected to do that.

Mr. Saunders noted he had spoken with Mr. Austin about the truck problem at Tye River Road. He noted that trucks were coming from Route 60 down Tye River Road and were having to turn around at the underpass and were doing so in people's yards. He recommended that signs be posted for trucks further up on Route 60. He noted this had been a complaint for some time now. Mr. Brown noted that many drivers looked at GPS and often ignored those signs; however they would get something up there. Mr. Carter asked if trucks could be prohibited there and Mr. Brown noted that there would be a public hearing process to go through and a resolution to be adopted to do that and enforcement was difficult.

Ms. Brennan then asked if they had cut back the bank yet at Buck Creek Lane and Mr. Brown noted this should have been done and he would follow up.

1. FY 17/18 - FY 23/24 Secondary Six Year Plan and Priority List

There was no further discussion regarding this subject.

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**V. New Business/ Unfinished Business**

**A. CSX Owned Buildings in Gladstone**

Mr. Hale noted he was not sure what to do on this and Ms. Brennan noted she was going to look at the depot building but decided that would not be helpful.

Mr. Hale noted that the Board had discussed accepting the old station building and auctioning it and Mr. Bruguere noted he did not think it was worthwhile to do.

Mr. Harvey added that the County would be responsible for moving it and he was not sure how that would be done.

Mr. Fred Terry in attendance noted that the Gladstone Seniors had the desire for the one story part of the old YMCA building with utilities and they felt that they could maintain it. He added that the building was well built and the roof was not giving them any trouble. He then related that CSX had a new CEO in Jacksonville who was known for wheeling a big ax and had eliminated two big yards in the Midwest. He related that he thought the tracks in Gladstone would be mothballed and they may try to contract with Norfolk Southern.

Mr. Saunders asked Mr. Terry if they had discussed who would maintain the building when the seniors were gone and Mr. Terry noted they hoped there would be others coming along. He added that the building could be made into a nice dwelling at some point.

Mr. Carter then advised that the County would become the owner and then the question was who to deed it to. Mr. Hale suggested that they pursue discussion with CSX on tearing down the dormitory part and doing something with the wiring for the part not torn down.

Mr. Harvey then suggested that the Board table a decision on this for now and Supervisors agreed by consensus.

Mr. Carter advised that he had canceled a conference call with CSX for last Thursday and he asked if he should tell them a decision has been tabled. Supervisors then advised Mr. Carter to see what they would do.

**B. Establishment of 2017 Tax Rates (R2017-24)**

Mr. Carter reported that staff was proposing to maintain current tax rates, that the Board had conducted one work session and staff was not proposing any changes. He noted this decision would allow tax tickets to be prepared and sent out. He added that a public hearing was not required if tax rates were remaining the same.

Mr. Hale then moved to approve resolution **R2017-24** Establishment of 2017 Tax Rates and he then read this aloud. Mr. Bruguere seconded the motion and there being no further discussion,

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Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2017-24  
NELSON COUNTY BOARD OF SUPERVISORS  
ESTABLISHMENT OF 2017 TAX RATES**

**RESOLVED**, by the Nelson County Board of Supervisors, pursuant to and in accordance with Section 58.1-3001 of the Code of Virginia, 1950, that the tax rate of levy applicable to all property subject to local taxation, inclusive of public service corporation property, shall remain as currently effective until otherwise re-established by said Board of Supervisors and is levied per \$100 of assessed value as follows:

Real Property Tax	\$0.72
Tangible Personal Property	\$3.45
Machinery & Tools Tax	\$1.25
Mobile Home Tax	\$0.72

**C. Establishment of 2017 Personal Property Tax Relief (R2017-25)**

Mr. Carter advised that staff proposed to maintain the 39% relief on vehicles. He added that the County received \$1.7 Million in funds from the State for Personal Property tax relief and State law required that each locality use those funds to lower Personal Property taxes. He noted this rate to be the same as last year.

Mr. Hale moved to approve resolution **R2017-25** 2017 Personal Property Tax Relief; noting the provisions provided therein and Mr. Bruguire seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2017-25  
NELSON COUNTY BOARD OF SUPERVISORS  
2017 PERSONAL PROPERTY TAX RELIEF**

**WHEREAS**, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3524 has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly; and

**WHEREAS**, the Nelson County Board of Supervisors has adopted an Ordinance for Implementation of the Personal Property Tax Relief Act, Chapter 11, Article X, of the County Code of Nelson County, which specifies that the rate for allocation of relief among taxpayers be established annually by resolution as part of the adopted budget for the County.



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**NOW THEREFORE BE IT RESOLVED** that the Nelson County Board of Supervisors does hereby authorize tax year 2017 personal property tax relief rates for qualifying vehicles as follows:

- Qualified vehicles with an assessed value of \$1,000 or less will be eligible for 100% tax relief;
- Qualified vehicles with an assessed value of \$1,001 to \$20,000 will be eligible for 39% tax relief;
- Qualified vehicles with an assessed value of \$20,001 or more shall be eligible to receive 39% tax relief only on the first \$20,000 of assessed value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicle, farm use vehicle, motor homes, etc.) will not be eligible for any form of tax relief under this program.

**BE IT FINALLY RESOLVED** that the personal property tax relief rates for qualifying vehicles hereby established shall be effective January 1, 2017 through December 31, 2017.

*Introduced: Sheriff Vehicle Request*

Mr. Carter noted that the Sheriff wanted to purchase a Tahoe and he thought the Board should weigh in. He added that he was not aware that he wanted to use vacancy savings to do that but rather he thought it would be coming out of the General Fund.

Sheriff Hill noted that the Board had approved two vehicles last year and he wanted to use vacancy savings to purchase another vehicle. He noted that the Ford Explorer they had, had 180,000 miles on it and the Tahoe would replace that.

Mr. Harvey stated he understood that they could use vacancy savings money to purchase vehicles; however that freed up other funds to use for this. Sheriff Hill added that he wanted to use savings his department brought back to the County to benefit the department.

Mr. Carter reiterated that this was the first he had heard about them using vacancy savings to purchase a vehicle. Mr. Harvey reiterated that they could not use that to buy the vehicle; however the funds funneled back through their budget.

Mr. Carter then advised that according to Ms. McCann, those funds had to be expended sometime in early May. He added that the other question was did the Board want them to purchase large SUVs that would cost more to operate. Ms. McCann added that there was a price differential of \$43,000 for the SUV versus \$32,000 for a sedan.

Mr. Hale suggested they look at this during a budget work session and he asked if this would remove one vehicle from their FY18 request. Mr. Harvey suggested that staff and Sheriff Hill work out if it was okay to purchase that type of vehicle and Mr. Carter advised that they were proposing to purchase six SUVs in FY18.

Ms. McCann advised that they could draw down vacancy savings money; however they could not

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use it for a vehicle. Mr. Carter supposed it would be difficult to purchase the vehicle by June. Mr. Harvey noted if they could present the vehicle, it would be worth a try.

Mr. Hale noted that the Chevy Tahoe they were requesting was 4WD and police rated; whereas the previous purchases were not. Mr. Carter noted it was top of the line and more expensive; noting the \$10,000 differential. Sheriff Hill noted the costs to be \$37,162 and \$41,000 with equipment and he added that they would pay any overage with asset forfeiture money. Mr. Harvey clarified that they could use asset forfeiture monies for equipment but not the vehicle.

Mr. Saunders questioned taking a vehicle out of service with 180,000 miles on it and Sheriff Hill noted that there could be other departments that need something to drive.

Ms. McCann noted that a police interceptor sedan cost was \$32,000 and the SUV they wanted cost \$42,000. She added that it cost \$6,000 to \$7,000 to equip these.

Mr. Hale suggested that the Sheriff go ahead and get what he wants and see how it goes.

Mr. Hale then moved that the Board approve the Sheriff going ahead and approve the purchase and see how it goes. Mr. Bruguere seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Sheriff Hill thanked the Board and noted that their sedans had issues with bottoming out on driveways.

*Introduced: Lovington Healthcare Center (LHCC) Building to Region Ten*

Mr. Hale introduced this subject noting that the Board had made two motions with respect to disposition of the LHCC and pursuing negotiating its sale to Region Ten. He noted the vote to be 3-2 in favor both times.

Mr. Hale then moved that the Nelson County Board of Supervisors authorize the County Attorney in consult with Mr. Carter to draft a contract for sale of the building owned by the County for a price of \$1,727,200 representing 80% of the assessed value to the Region Ten CSB. Ms. Brennan seconded the motion and the Board had the following discussion.

Mr. Harvey suggested that they include a date of sale and Mr. Hale suggested that the motion be amended to add a term of 90 days for the sale and Ms. Brennan seconded the amended motion.

Mr. Hale stated that this had been a controversial subject and he recognized some were not in favor of the sale. He noted that there had been a lot of misinformation that could be clarified. He noted that clarification was wanted that the proposed Region Ten assisted living facility was for those in the region and Nelson County and was meant for those who were elderly and for those with mental problems who were not able to take care of themselves and they would not be roaming the streets.

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He added that this would not be a treatment center but would be an assisted living facility. He noted that he thought the Board had the potential to discuss with Region Ten the use of portions of the property as you entered on the left hand side. He noted this would be additional land which could be used in the future for other County purposes such as the Department of Social Services. He advised that architect, Jim Vernon believed there was enough land there already to build on; however it would take a survey etc. He added that he thought there was this potential and it was one Region Ten was willing to consider. Mr. Hale then stated that he thought an assisted living facility was the highest and best use for the building and he thought the State had recognized that in providing Region Ten with grant funds for the needed renovations. He noted those were his reasons on why it was important to move forward and the sooner that happened, the sooner the County would not be responsible for the building's maintenance.

Mr. Saunders supposed that after the building was sold, the County wouldn't have any say in what the building was used for and he thought they should do a survey of the parcel to be retained by the County before the sale took place.

Mr. Hale noted that he had a strong feeling that the \$1 Million in grant funds from the State specified that it was for the purpose of establishing the assisted living facility. He added that with respect to the condition of keeping a portion of the property, that could be worked out in the contract and he was willing to see that go forward; however he did not want that to be a requirement of the sale.

Ms. Brennan suggested that the contract could specify these things and Mr. Hale stated that his motion was on the floor as is.

Ms. Brennan asked if the County could get first right of refusal if they did not maintain the building as an assisted living facility. It was noted that the Board would have to approve the sale contract and the motion on the floor was to proceed with developing a contract.

Mr. Harvey noted that with the conveyance of the Rockfish Valley Community Center, the survey was changed so that it showed County ownership of the parking lot area and the convenience center site. Mr. Hale noted he was keen on following that approach and the County would need a survey done. Mr. Saunders noted the survey should be done before the property was sold and Mr. Hale agreed. Mr. Harvey stated that the survey would have to be in the contract and the deed transfer and he thought it was important that the joint entrance was maintained.

Mr. Bruguere suggested that they vote on the motion and then work out the concerns to be specified in the contract. Mr. Hale agreed and noted that it was important for Region Ten to know that the County intended to move forward with the sale.

Mr. Harvey stated he would support the motion if they gave approval to sell a portion of the land in motion.

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Mr. Hale amended his motion to add that the understanding was that until they had a signed contract, it was the County's desire to have joint use of the entrance road and the property to the south side would be retained by the County.

Ms. Brennan then seconded the amended motion (*Mr. Hale moved that the Nelson County Board of Supervisors authorize the County Attorney in consult with Mr. Carter to draft a contract for sale of the building owned by the County for a price of \$1,727,200 representing 80% of the assessed value to the Region Ten CSB with a term of 90 days for the sale, and until they had a signed contract, it was the County's desire to have joint use of the entrance road and the property to the south side would be retained by the County*).

There being no further discussion, Supervisors voted (4-1) by roll call vote to approve the motion with Mr. Saunders voting No.

#### *Introduced: Vehicle Impoundment*

Mr. Bruguire asked about an impoundment area for confiscated vehicles as there were many of those vehicles taking up space in the Courthouse parking lot. Mr. Carter advised that they needed to fill in the back and fence the area at the Maintenance Building for that.

Sheriff Hill advised the Board that those vehicles were parked where they were so that if anything happened, they would have it on video. He noted the vehicles had been seized but were not their property yet. Mr. Bruguire noted he was not questioning how they were obtained but was noting that there were a lot of those vehicles taking up space in parking lot.

Mr. Harvey noted there were other vehicles as well and Sheriff Hill noted that the Humvee and the ambulance could be sold. It was noted that the County may have to return the Humvee back to the Governor; since it was donated by the State.

Ms. Brennan then inquired as to how much the work to be done would cost and Mr. Saunders noted they needed quotes first. Mr. Harvey noted that they should fence in the whole property before anything else.

## **VI. Reports, Appointments, Directives, and Correspondence**

### **A. Reports**

#### **1. County Administrator's Report**

Mr. Carter gave the following report:

- 1. Courthouse Project Phase II:** The project is progressing well to substantial completion (5-27-17) and final completion (6-23-17).

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Mr. Carter noted that they would work on sidewalks that week in order to open up access to the Courthouse.

**2. Broadband:** The CDBG funded expansion project is in final closeout with VA-DHCD. Network expansion in the Route 151 Corridor (North & Central Districts) is continuing with the prospect of 600+ service connections by the end of 2017 being attainable.

**3. BR Tunnel Project:** The project's construction and contract documents have been submitted to VDOT's Central (Richmond) Office for final approval with Federal Highway Administration review and approval to be completed thereafter. The 4-30-17 bid date is still in place.

Mr. Carter added that the construction project had been approved by VDOT and sent to FWHA. He noted that if FWHA could be expeditious, the County could still be on schedule to bid out the project by April 30th, which was the date established by VDOT. He noted that the project could be completed in eighteen (18) months.

Mr. Hale noted some things to mention at the Pre-bid meeting were to eliminate the fence relocation and filling in the laydown area for building on. He noted those were a number of things to have the engineers mention and Mr. Carter suggested they send those items to Greg Harnish, the project Engineer.

**4. Livingston Health & Rehab Center:** The property's status is TBD.

**5. 2018 General Reassessment:** The monthly update from Wampler-Eanes is attached.

**6. FY17-18 Budget:** Continuation of the Board's 4-11 meeting to 4-13 for a budget work session is proposed.

**7. Region 2000 Service(s) Authority & Solid Waste/Recycling:** The Authority's strategic planning project continues to be in process. The focus has been narrowed to expansion of the current landfill in Campbell County or construction of a regional transfer station (which may not benefit Nelson County).

**8. Rt. 29 Corridor Study:** A final report to the Board is "planned for the May 9<sup>th</sup> meeting.

**9. EMS and Fire Study:** On hold until the Emergency Services Coordinator's position is filled.

Mr. Carter reported that staff was doing reference checks and was interviewing another applicant on that Thursday.

**10. Surplus Property Auction:** Scheduled for May 6, 2017.

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In response to questions, Mr. Carter noted that the County may be able to include volunteer fire and EMS vehicles in the auction. He noted that he would have to see if they could be added to the ads and if so, they would have to let the County know.

**11. Rockfish Re-Use Building:** Re-opened the week of 3-20.

**12. Personnel:** Interviews with applicants for the vacant Emergency Services Coordinator are in process. Applications for the soon to be vacant Director of Planning and Zoning position are being received with interviews to be scheduled as immediately as possible.

## 2. Board Reports

Mr. Harvey had no report.

Mr. Saunders reported attending the TJPDC meeting and it was noted how far advanced in Broadband deployment that Nelson was over other counties. He noted the County may be ten years ahead of everyone else.

Ms. Brennan reported attending the JABA and PWN Meetings where they reviewed JABA projects and were agreeing on strategic planning at the PWN.

Mr. Bruguire noted he attended the Planning Commission meeting.

Mr. Hale reported that on April 1<sup>st</sup> and 2<sup>nd</sup>, the Tunnel Foundation hosted “hops to headlamps” tours and sold 732 tickets for \$32 each. He noted that they had tour starts at six different winery and brewery venues, the patrons loved it, and it went smoothly. He noted that they bought t-shirts and books etc. and it was a great success.

Mr. Hale then reported that he had spoken with the Commonwealth Attorney about a security concern he had about his office. He noted that once screened; a person could open his solid door and walk right into his office and they could not see the people walking in the door. He had also related that he was concerned that with his efforts to deal with gangs, there could be someone who might get in there.

Mr. Hale then noted that options were looked at and he noted that they could have a locked glass door inside of the main door so that the staff could see who was entering and they could be buzzed in from there. Mr. Harvey suggested that they could have a camera and a card reader door there. Mr. Hale noted that he thought the public should have the ability to go in there though.

Mr. Carter advised that this was the same situation for every office once people came through security. Ms. Brennan then suggested they get a panic button. Mr. Harvey supposed in hindsight, that building was not the best location for that office with there being windows to the outside and only one way in and

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out. Mr. Carter suggested that they look at the Court Services Unit space as he thought that was underutilized.

**B. Appointments**

Ms. McGarry reported that there were no appointments to be made at that time and Mr. Saunders noted that they would need to replace Mr. Padalino on the TJPDC Board. Mr. Hale then suggested that they wait to make the replacement once a new Director was hired and he volunteered to attend the meetings if Mr. Saunders was unable to.

**C. Correspondence**

There was no correspondence considered by the Board.

**D. Directives**

Mr. Hale, Mr. Saunders, and Mr. Bruguiera had no Directives.

Ms. Brennan noted that she read about a lawsuit having to do with the Calohill property and Mr. Carter advised that property there was to be sold for tax purposes. He added that approximately 16.0 acres had been sold to a business in Staunton that no longer existed.

She also noted that she read Wintergreen was selling off land at the top of the mountain and it was noted that the land being sold was land below the tubing park that Mr. Justice had retained. Mr. Saunders noted that the Board would have to approve anything if it were not already in the Master Plan.

Mr. Harvey reported that Wintergreen Real Estate had been sold and the new owners had taken possession. He noted the buyers were the same group that bought the Wintergreen Mountain property and the press release was out that day.

**VII. Recess and Reconvene Until 7:00 PM for the Evening Session**

At 5:30 PM, Ms. Brennan moved to adjourn and continue the meeting until 7:00 PM and Mr. Bruguiera seconded the motion. There being no further discussion, Supervisors voted unanimously by voice vote to approve the motion and the meeting adjourned.

**EVENING SESSION  
7:00 P.M. – NELSON COUNTY COURTHOUSE**

**I. Call to Order**

Mr. Harvey called the meeting to order at 7:10 PM, with all Supervisors present to establish a quorum.

## II. Public Comments

### 1. Kim Peel, JABA Philanthropy Director

Ms. Peel reported that in January, their Insurance Counseling program reported that over 1,400 seniors in the region were saving money on their health insurance. She noted that a survey of clients showed that they had increased new clients by 23%, which they attributed to the mobile counseling units going out into counties. She noted the mobile unit had received great feedback from participants such that 99% understood their insurance options and were comfortable with the decisions they made and 100% would recommend JABA again to friends.

Ms. Peel then reported that the FISH program began in 2015/2016. She noted that teachers directed activities and they had twenty (20) volunteers working with 225 students at both elementary schools. She noted they were laying the groundwork for five (5) at the High School for a homework clinic. She added that their partnership with Rock Presbyterian Church had really helped. She then thanked the Board for their support over the years and inquired as to when the Board would conclude their budget process. Supervisors noted that the public hearing on the budget would be in May.

## III. Public Hearings

### A. Special Use Permit #2017-02 – “Restaurant” / Mr. Barry Wood, Wood Ridge Farm Brewery:

The Special Use Permit application requests approval for a “Restaurant” land use, pursuant to Zoning Ordinance §4-1-34a (“Uses – Permitted by Special Use Permit only: Restaurant”). Mr. Barry Wood has requested to “operate [an] existing, approved, permitted food truck unlimited hours for serving farm brewery patrons with our farm-to-table products.” The subject property is located in Woods Mill, is 3.575-acres zoned Agricultural (A-1), and is “Parcel A” of Tax Map Parcel #34-A-96A.

Mr. Padalino provided the following report regarding the application:

SUP #2017-02, requesting County approval “*To operate [an] existing, approved, permitted food truck unlimited hours for serving farm brewery patrons with our farm-to-table products.*” *Note:* Currently, Mr. Wood’s food truck is operated at his farm brewery on a limited basis; and he has previously obtained all required permits and approvals from the Health Dept., Building Inspections Dept., and Planning & Zoning – including an administrative zoning permit that allows non-continuous food truck operations.

This SUP request seeks County zoning approval to operate the existing, properly-permitted food truck in one semi-permanent location, without restrictions as to the hours of the day or days of the week.



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Mr. Padalino showed the site location on a map and noted it was located in the Woods Mill District. He noted that the subject property was 3.575-acres zoned Agricultural (A-1), and was "Parcel A" of Tax Map Parcel #34-A-96A. He added that this was part of a larger parcel and he showed the location of the existing farm brewery and location of the food truck.

Mr. Padalino reiterated that the food truck was already there and it had all of the necessary approvals from the Health Department and VDOT and Mr. Wood had amended his minor site plan accordingly. He noted that he was allowed to operate without limitation now for patrons at the Brewery.

Mr. Padalino then reported that Jeff Kessler of VDOT had noted no VDOT concerns; however if they expanded or added new public seating, they would have to come back with a revised site plan and they would re-evaluate things at that time. He added that it had already been inspected.

Mr. Harvey asked about the location of the airport/airstrip in relation to the brewery and Mr. Padalino showed that on the map. Mr. Harvey then asked if the Applicant, Mr. Wood had anything to add and Mr. Wood noted he did not.

Mr. Harvey then opened the public hearing and there being no persons wishing to be recognized, the public hearing was closed.

Ms. Brennan then moved to approve Special Use Application #2017-02 for Mr. Barry Wood at Wood Ridge Farm Brewery and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and SUP #2017-02.

**B. Special Use Permit #2017-01 – "Festival Grounds" / Mr. Dave Frey, Lockn LLC; and Mrs. Rhonda M. Holland, Oak Ridge Farm; and Mr. James W. Goodwin III:**

The Special Use Permit application requests approval for a "Festival Grounds" land use, pursuant to Zoning Ordinance §4-1-49a and §24-1 Definitions: "Festival Grounds". The seven (7) subject properties are located in the Arrington area and include: Tax Map Parcel #77-A-1, approximately 390-acres owned by Lockn, LLC; and Tax Map Parcels #67-4-18, #67-4-18A, #67-4-20, and #77-5-15, consisting of the Oak Ridge Race Track and surrounding farm fields, owned by Mrs. Rhonda Holland; and Tax Map Parcels #67-A-74A and #67-A-74B, totaling 70.8 acres owned by Mr. Jay Goodwin. All properties are zoned Agricultural (A-1).

Mr. Padalino noted the SUP application and subsequent Planning Commission public hearing. He noted this was the first Festival Grounds permit application as a function of the new Temporary Events Ordinance passed in January.

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He then read the definition of Festival Grounds from the Ordinance as follows:

Festival Grounds: The use of land for the hosting and operation of Category 3 Temporary Events, and the construction, erection, or other use of structures or other improvements (temporary or permanent) associated with Category 3 Temporary Events.

The minimum acreage for a Festival Grounds is 250 acres. Contiguous parcels under the same or different ownership or control may be aggregated to attain the minimum acreage; if contiguous parcels are under different ownership or control, the owner or agent for each parcel must formally authorize the application for a Festival Grounds Special Use Permit.

Mr. Padalino noted that the County has received the co-application letters and the application was complete from LOCKN LLC.

He then referenced Zoning Ordinance Article 24-1-E-3 as follows:

**“Temporary Event, Category 3”  
(Z.O. Article 24-2-E-3)**

A Category 3 Temporary Event may not exceed a maximum duration of six (6) consecutive days open to the attending public, inclusive of an arrival day and a departure day. Amplified sound is not permitted after 11:00 p.m. on any Sunday, Monday, Tuesday, or Wednesday night; nor after 11:59 p.m. on any Thursday night; nor after 1:00 a.m. on any Saturday and Sunday morning.

Without limiting the general authority of the Board of Supervisors under Article 12, the Board of Supervisors may impose additional conditions or further modify the number of events, days, and times in granting a Special Use Permit for Festival Grounds land use.

Mr. Padalino then noted if approved, the special use permit authorized the subject properties to be eligible for inclusion in any Category 3 event. If approved, they would come back with Temporary Event applications with all of the details for the events.

Mr. Padalino reiterated that Article 24-2-E-3 noted the parameters of the maximum duration and amplified sound and he noted the Board could impose conditions or modify these.

Mr. Padalino noted that the applicants were requesting modifications to the time limits and he showed a chart comparing the ordinance provisions and the requested modifications as follows:

<b>Requested Modifications to Festival Grounds Time Limits for SUP #2017-01</b>				
<i>Time Limits</i>	<i>Thursday night</i>	<i>Friday night</i>	<i>Saturday night</i>	<i>Sunday night</i>
<b>Existing Provisions:</b> <i>Z.O. §24-2-E-3</i>	11:59 p.m.	1:00 a.m. (Saturday morning)	1:00 a.m. (Sunday morning)	11:00 p.m.
<b>Requested Modifications for SUP 2017-01:</b> <i>Oak Ridge Race Track</i>	12:00 midnight = +1 minute	12:00 midnight = -1 hour (stop “early”)	12:00 midnight = -1 hour (stop “early”)	12:00 midnight = +1 hour (go “late”)
<b>Requested Modifications for SUP 2017-01:</b> <i>Infinity Downs Venues</i>	2:00 a.m. (Friday morning) = +2 hours (go “late”)	2:00 a.m. (Saturday morning) = +1 hour (go “late”)	3:00 a.m. (Sunday morning) = +2 hours (go “late”)	2:00 a.m. (Monday morning) = +3 hours (go “late”)

Mr. Padalino then referenced Zoning Ordinance Article 24-2-E-2 as follows:

**“Temporary Event, Category 3”  
(Z.O. Article 24-2-E-2)**

A Festival Grounds Special Use Permit shall be automatically reviewed at a public hearing conducted by the Board of Supervisors every five (5) years after the initial issuance, after which hearing the Board may revoke or modify the terms and conditions of the Special Use Permit in accordance with Article 12, Section 3 “Special Use Permits.”

Mr. Padalino noted that a five (5) year review after issuance was stipulated in the Zoning Ordinance. He clarified that the SUP would not terminate; however, this was a provision for review and public hearing every 5 years.

He then showed the Festival Grounds location on the zoning map and the area of the festival grounds in relation to Lovington, Shipman, Arrington, and Colleen. He pointed out the grounds which incorporated large parcels in-between those areas. He also showed the ownership of the subject parcels and related that the County’s ProVal system did not specify the acreage of these parcels. He added that the Goodwin family parcel was not included since it was an easement only.

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Mr. Padalino then showed pictures of the existing conditions of entrances from Route 29 onto Oak Ridge Road, the racetrack, Goodwin farm, the Oak Ridge Historic Farmhouse, and the LOCKN Farm main entrance from Diggs Mountain Road. He added that the VDOT site plan showed some improvements were needed. He also showed the open fields to be used for camping, the forest camping area, trails, fencing, and the historic outbuildings. He then showed slides of the infrastructure improvements made to electric systems, wastewater holding tanks, and potable water storage tank and that distribution system. He noted that the applicants had included a major site plan which had not been reviewed formally yet but would be the following day. He also noted that the applicants had submitted an event operations plan for Infinity Downs Farm that contained details explaining their infrastructure in place and a draft transportation plan.

Mr. Padalino noted that the Planning Commission held a public hearing and there were three people that spoke in opposition from Freshwater Cove.

He added that the Planning Commission recommendation had the main stage close down at midnight and the others were subject to the Ordinance with no time extensions. He noted that in exchange for the extensions, the applicant was offering the concession of shutting down the main stage earlier than required. He advised that they would be modifying sound things at the other stages to mitigate the sound issues and would end those earlier at the smaller events.

He noted the Planning Commission recommendations and then the requested modifications as follows:

<b>PC Recommendations: Festival Grounds Time Limits for SUP #2017-01</b>				
<i>Time Limits</i>	<i>Thursday night</i>	<i>Friday night</i>	<i>Saturday night</i>	<i>Sunday night</i>
<b>Requested Modifications for SUP 2017-01:</b> <i>Oak Ridge Race Track</i>	12:00 midnight = +1 minute	12:00 midnight = -1 hour (stop "early")	12:00 midnight = -1 hour (stop "early")	12:00 midnight = +1 hour (go "late")
<b>PC Recommends for SUP 2017-01:</b> <i>Oak Ridge Race Track</i>	12:00 midnight = +1 minute	12:00 midnight = -1 hour (stop "early")	12:00 midnight = -1 hour (stop "early")	12:00 midnight = +1 hour (go "late")
<b>Requested Modifications for SUP 2017-01:</b> <i>Infinity Downs Venues</i>	2:00 a.m. (Friday morning) = +2 hours (go "late")	2:00 a.m. (Saturday morning) = +1 hour (go "late")	3:00 a.m. (Sunday morning) = +2 hours (go "late")	2:00 a.m. (Monday morning) = +3 hours (go "late")
<b>PC Recommends for SUP 2017-01:</b> <i>Infinity Downs Venues</i>	11:59 p.m.  (same as Z.O. §24-2-E-3)	1:00 a.m. (Saturday morning)  (same as Z.O. §24-2-E-3)	1:00 a.m. (Sunday morning)  (same as Z.O. §24-2-E-3)	11:00 p.m.  (same as Z.O. §24-2-E-3)

<b>Requested Modifications to Festival Grounds Time Limits for SUP #2017-01</b>				
<i>Time Limits</i>	<i>Thursday night</i>	<i>Friday night</i>	<i>Saturday night</i>	<i>Sunday night</i>
<b>Existing Provisions:</b> <i>Z.O. §24-2-E-3</i>	11:59 p.m.	1:00 a.m. (Saturday morning)	1:00 a.m. (Sunday morning)	11:00 p.m.
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Mr. Harvey then asked for Applicant comments and Mr. Dave Frey of LOCKN LLC addressed the Board. He noted that Jay Goodwin was unable to attend and Ms. Reagan Thompson was present on behalf of Oak Ridge Estate.

Mr. Frey stated that they were planning a series of up to six (6) single night events during the year and he noted since they were concert promoters, these were tied into music. He noted some of these would be daytime events and some would be evening and they were looking to end those at midnight at the latest. Mr. Frey added that their venue was now home of the Festy. He then described events that had stressed everyone involved and the community and he noted that 2015 was a tough year; however they had a great group of people here and it took a team effort to make things work.

Mr. Frey then noted that the article on their application to the Planning Commission had gotten a big reaction and they had five hundred responses from supporters wanting to come to the Board meeting; however they had advised them not to.

Mr. Frey then addressed the ending time issues and noted the later curfews of national festivals like LOCKN. He noted that 73% of LOCKN goers were out of state and a fair amount of them went to other festivals; where the norm was to go pretty late: Bonnaroo went until 4 am and

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some went 24 hours with different genres of music and had 90,000 people. He noted they did not want to be in that business and wanted to stay in the 25,000 people range. He noted that LOCKN had evolved to stopping the main stage at midnight unless there were extenuating circumstances with approvals. He noted that they were getting better as they kept doing it and they had never asked for the main stage to go past midnight otherwise. He noted they had a secondary stage on Infinity Downs which was a smaller situation and they created it to curtail people from going back to their camps and cranking up music. He noted that had received a number of complaints over the years; however they were still in compliance with the Noise Ordinance. He noted that they were wanting to schedule these until 2am and 3am on Saturday.

Mr. Frey then advised that after LOCKN, they had hired sonic experts who sound level tested around various areas and came back with recommendations. He noted they recommended they point speakers down and pay attention to wind etc. He noted that they had received no complaints with FESTY even after going longer after the fire until 4:30 am. He noted they had done a lot of work to cure the sound issue and would continue to do so. Mr. Frey then noted that FESTY would leave if they could not run until their normal end times, they would lose a tenant, and the County would lose a festival. He then reiterated the extended times that were being requested.

Ms. Brennan asked how many attended FESTY and Mr. Frey noted that about 1,700 people camped and there were between 1,000-2,500 people per day attending.

Ms. Reagan Thompson then addressed the Board and noted that her family had brought LOCKN to the community because they were forced to decide how to keep the property going. She noted that they had decided that if an event was safe and would not poorly impact the community, they had decided to do it and they fully vetted everything. Ms. Thompson noted that Mr. Frey had addressed every concern that they had over the years; noting that they knew their business and knew what would work and it would break their hearts if they had to find another venue. She added that they wanted to keep their large parcels of property in tact. She noted that they and LOCKN representatives had worked hard to engage the neighbors over the years and have addressed their concerns. She noted that their foremost concern was safety and they thought it was important to keep the masses together and it kept the noise and safety concerns in one area as well. Ms. Thompson noted the time spent last year showing Supervisors various safety and EMS stations there so they could see the emphasis on safety. She noted that every year, Mr. Frey asked first about complaints and he always checked those immediately. In conclusion, she noted that LOCKN had put together a good permit application and they would continue to double check the safety of the community and patrons attending and she hoped to continue to hear concerns so they could be addressed.

Mr. Mike Maggio, LOCKN LLC addressed the Board and noted he had assumed the role of Community Outreach person. He noted they had sent letters out to locals adjacent to the venue that introduced him and told them of their plans. He added that they had set up a day at the

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Carriage House where they could meet him as well as gave them show and parking passes and his contact information. Mr. Maggio then noted he was there to help be a positive advocate for Mr. Frey.

Mr. Harvey then opened the public hearing and the following persons were recognized:

1. Bruce Maurhoff, Freshwater Cove Resident

Mr. Maurhoff noted that he lived across Route 29 from Oak Ridge. He noted that he commended the Planning Commission and the Board for implementing the Festival Grounds Ordinance and thought it was very timely. He noted though that the LOCKN festival hours of operation seemed to be extending into the early morning hours. He added that he was impacted by that and heard music until the wee hours of the morning. He then asked the Board to utilize their options and authority to control the hours of operation on the event grounds which he thought was reasonable and fair to the residents near the event. He further noted that they tolerated a lot of things such as different traffic patterns and additional crowds and he thought it was fair that on weeknights the event stopped at 11pm and on weekends at midnight. Mr. Maurhoff then stated that if the main stage quit at midnight last year; that would not eliminate the noise he heard at 3:00 am. He then encouraged the Board again to consider local residents and limit the hours of operations to 11pm weeknights and midnight on weekends as a courtesy to those living around the event.

2. Joannie Saunders, Freshwater Cove Resident

Ms. Saunders noted that Mr. Frey had reached out to her this year and that was the first time anyone had reached out to her personally. She noted she appreciated their effort and noted they had not been able to get together. Ms. Saunders noted her complaints to be the same, the music until 3:00 am or 4:00 am, fireworks, and window rattling base until the early hours.

Ms. Saunders then noted that the side stages were obviously creating as much noise as the main stage. She noted that she spoke at the Planning Commission and would like the events to end at 11:00 pm on Thursday and Sunday; since people had to go to school and work during the week. She questioned the argument made that other festivals went much later; noting she was not sure where those were located; however this was in a residential area albeit rural. She noted that there were others that did not want to speak publicly; however they complained to her and she was their spokesperson also.

Ms. Saunders concluded by noting that she was not against the festival but wanted it to end at a reasonable hour. She added that the modifications regarding the sound had not seemed to make a difference. She noted that every year she has heard there would be changes; however nothing does. She noted she did not hear FESTY but did not think that was comparable to LOCKN. She then reiterated that she hoped the Board would take their concerns into consideration.



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Following her comments it was noted that Freshwater Cove was .75 miles off of Route 29 by road, not air.

### 3. Gary (Randy) Helbert, Freshwater Cove Resident

Mr. Helbert noted that since the existence of LOCKN he has tried to keep open mind and he noted that some of the growing pains had been worked through to minimize some of the effects on local residents. He added that the issues affecting the residents of Freshwater Cove had not truly been addressed. He noted that Nigel, with LOCKN at the time, had meetings with residents early on and he gave the excuse of cloud inversion for the loudness of the event.

Mr. Helbert then noted that he was concerned about the lateness of the concerts and that ending at 3:00 am and 4:00 am was unacceptable for a group that has said they were trying to work with the community and be good neighbors. Mr. Helbert added that the LOCKN representatives have said that they have reached out; however he lived less than half mile off of Route 29 and has not received a letter or a visit from anyone. He noted that if they were truly concerned, they would have made more of an effort that what they have. Mr. Helbert then noted that these concerns had been addressed with the Board multiple times; and they had been told there was nothing they could do because there was no ordinance in place. He noted that since there was one now, they as the Board had the authority to do something.

Mr. Helbert noted his intent was not to stop LOCKN and he thought everyone should have a livelihood; however that should not impact neighbors. He added that they were not as impacted by the smaller events; however larger events of 30,000 did have an impact. He noted a large impact was the traffic pattern changes that affected them on a daily basis during the festival and there should be a method for them to enter and exit the Cove in their traffic plan. He noted that they should be able to do this once all of the traffic was in there. He then noted that many had commented to him that they should leave town during LOCKN and he did not think they should have to do that; especially since his wife was a school teacher and it was at the beginning of the school year. He then questioned why they should have to be imposed upon.

Mr. Helbert then rebutted Mr. Frey's comments about other festivals; noting that he had gone on line and looked up the best festivals for 2017. He advised that a list had come up and out of those ten events, all ten ended by midnight. Mr. Helbert noted he had no issues with them shutting down by 1:00 am; however those other national festivals closed by midnight. He added that four of those festivals had on site camping which contradicted the assertion that wind down time was needed. He suggested that better policing needed to be done in the campgrounds and he hoped the Board would take their concerns to heart and that Mr. Frey would do some additional thinking on his part.

4. Al Weed, Fortunes Cove Lane Resident and Trinity Church Representative

Mr. Weed noted that LOCKN was building an image of something that people wanted to come to. He noted that their church had a choice to close the gates and not have anything to do with it or to open their arms and participate. He noted that they chose the latter and to engage with attendees and those having the festival.

Mr. Weed then noted how they first set up Sober LOCKN, a place for people who attended AA meetings to be able to attend there, which had been very important. Mr. Weed then noted that the first year they discovered that not everyone used the bathing facilities so they hauled people down to a swimming hole owned by a church member and called it Water LOCKN. He noted this became very popular and they had sold out all 3.5 days they operated it. He added that they had hired five vans and sold tickets for \$20. He noted how enjoyable driving the vans was and he noted that the people that came had very different expectations and they enjoyed the questions asked. He then noted that there was a connection people were making with the Nelson community and they took home memories that benefitted the entire county. He noted that the church had raised tens of thousands of dollars for charities in Haiti, locally, and in the region.

In conclusion, Mr. Weed stated that the folks at LOCKN had been the best neighbors and had done everything asked of them.

5. Vonnice Maurhoff, Freshwater Cove Resident

Ms. Maurhoff noted she wanted to discuss her experience as a teacher at Tye River Elementary School. She noted that they were two weeks into school and had to take off for LOCKN. She noted she had children come to school tired because of being up due to the loud music and sometimes students did not even come on Friday. She added that they could do a better job of reaching out to the community. She noted that she appreciated the Board considering the noise impacts for the children and residents of the County.

6. Jay Roberts, Executive Director of Wintergreen Property Owner's Association

Mr. Roberts noted how much the County had changed over the last thirty years. He noted that he could sympathize with the impacts to citizens of the three to four days of the LOCKN Festival. He noted that it touched a huge part of Nelson County and had a huge impact on the community. He then encouraged the Board to consider the impacts that would cause the festival to go away and he encouraged LOCKN folks to be good neighbors. In conclusion, he noted it was a huge deal for Wintergreen and he would hate to see anything hamper its success.

7. Hank Thiess, General Manager, Wintergreen Resort

Mr. Thiess noted that the economic value of LOCKN was not limited to one area and he noted that it filled up Wintergreen on a dead weekend. He noted they put everyone to work that weekend because of LOCKN who otherwise would not be working. He noted that LOCKN had contributed in excess of \$20,000 to the Wintergreen Adaptive Sports program and he echoed Mr. Robert's comments. He noted the economic value of LOCKN to Wintergreen was substantial.

8. Robert Canody, Lakeview Heights Arrington 2.4 miles from stage

Mr. Canody noted that he lived 2.4 miles from the main stage of LOCKN. He then noted that Mr. Frey did a great job of telling the Board their woes as the shows have gone on in order to generate sympathy. He noted that Mr. Frey had stated that he had heard from five hundred supporters; however he did not say where they were from and he supposed they were non-residents. He added that he would like the Board to consider that those folks did not have a say on LOCKN's impact to the community.

Mr. Canody then noted his windows were still rattling from the secondary stages if the main stage was being shut down at midnight. He noted that his bedroom faced the stage; he was offset forty-five degrees from the stage and was not in the sound cone and still had rattling. He noted the sound projected quite a ways and he was kept awake at night.

Mr. Canody then stated that there was a vast difference in attendance numbers for FESTY versus LOCKN and it was not a valid comparison. He then related that the Peach Festival music stopped at 10:00 pm and had 30,000 to 45,000 attendees. He noted that Coachella was much larger at 75,000 attendees, was held in a Southern California desert, and according to their website the shows ended at 12:30 am. He noted that Outside Lands in Golden Gate Park in San Francisco was a long narrow park surrounded by residential areas and small businesses and they ended at 10:00 pm every night and brought in 200,000 people. He added that Lollapalooza in Chicago currently ended at 10:00 pm each day and they brought in 400,000 to their festival.

Mr. Canody noted that those were long term well established events and they were good neighbors, ending at a reasonable time. He questioned why, after passing a new Ordinance, the Board would consider an exemption without trying it first. He added the impact of having reasonable hours needed to be seen.

Mr. Canody then noted that the representative from Trinity Church did not mention that they had permitted people to camp in their graveyard, which he thought was inappropriate. He then questioned the argument that LOCKN made memories and noted that people would still have good memories no matter what time the shows ended.

In conclusion, he asked the Board to go with the Planning Commission's recommendations.

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There being no other person's wishing to be recognized, the public hearing was closed.

Mr. Harvey stated that the LOCKN folks said that they had tried to approach neighbors; however they did need to go beyond the adjacent properties out in a reasonable area to see what was said. He noted they did not want to continue to have these complaints against them and it would benefit them to do more and to reach out further.

Mr. Bruguire noted having confusion about the other events and he questioned if Infinity Downs went to 3:00 am for every event or just LOCKN. Mr. Frey noted that was only for Category 3 events. He noted that LOCKN was the largest temporary campground in the tristate area and for camping festivals it was important to go later. He added that they were asking for this time extension for multi-day camping festivals; which were LOCKN and FESTY right now.

Mr. Saunders noted that LOCKN was only a 3-4 day event out of 365 days of the year. He noted he knew it was disturbing as he lived very close to the venue; however there were other houses near him whose music was more disturbing on a regular basis. He added that LOCKN had spent \$5.6 Million in the County and had provided many jobs. He noted that they have only had twelve complaints on record over four years. He noted that people had a right to complain; however the festival had gotten better every year and it gave many people employment, enjoyment and good memories. Mr. Saunders then noted that he thought they were doing a good job in trying to make things convenient and VDOT had a say in traffic control. He noted LOCKN was like any other major event and cited the Martinsville race as an example. He noted that he felt for those impacted; but LOCKN had been great for the County.

Ms. Brennan noted she echoed Mr. Saunders comments and her heart went out to those that suffered through the loudness and she wondered if that could be mitigated further. She added that she appreciated what LOCKN has done for the County.

Mr. Hale noted he was not a fan of amplified music but had attended LOCKN to hear performers his age or older. He noted that he thought the LOCKN folks had made every effort to deal with concerns and cited the change to shorter hours at the main arena and moving the shows back to the Blue Ridge Bowl which was in an area that caused fewer problems. He noted that the changes made in dealing with crowds were commendable and the festival was important to many locals who attended and loved it. Mr. Hale acknowledged that he would not like to have his windows rattled; however as Mr. Saunders said; he had a neighbor that did it and could do it every day if they wanted. Mr. Hale then noted that LOCKN was an important part of Nelson County and for that reason the Board should work with them to have continued success.

Mr. Harvey noted he was concerned about Thursday night and Monday morning and the end times needed to be better than proposed given that there were kids that had to go to school. He noted that they had to make some adjustments to tone it down some with kids going to school on Friday and Monday. He noted that the traffic plans had been done professionally, they had

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growing pains and he agreed with comments about the cross overs. He added that once the majority of the crowd was in the venue, he thought they could eliminate the cross over barriers. He reiterated that the noise needed to be lowered more on Friday and Monday morning. He added that he did not want to change the times; but he wanted those concerns addressed and he thought they could make it work.

Mr. Saunders noted that the Freshwater Cove crossover was at the main entrance to LOCKN and it would be hard to open that up; noting that it was closed for just a couple of days.

Mr. Harvey questioned why it was blocked off if it was not necessary and Mr. Bruguire stated they could ask VDOT and the State Police to be cognizant of opening the crossovers going north.

There being no further discussion, Mr. Saunders moved to approve SUP #2017-01, Festival Grounds, Mr. Dave Frey, LOCKN LLC, Mrs. Rhonda Holland, and Mr. Jay Goodwin with the modifications requested by the applicant as noted on page 2 of 9 of the staff report. Mr. Hale seconded the motion and there being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion.

Mr. Harvey then thanked those who came and commented and he noted he would be shocked if those concerned were not approached and listened to.

#### **IV. Other Business (As May Be Presented)**

*Introduced: Mr. Padalino*

Supervisors noted their appreciation for Mr. Padalino's work in his tenure with the County. Mr. Harvey noted that they had not always agreed; however he wanted to personally thank him and wish him well.

Mr. Padalino noted it had been a real privilege and honor to serve Nelson County and he was fortunate and thankful for the ways he had been able to be involved and for the friendships made.

Mr. Carter added that no one has worked harder than Mr. Padalino and he thanked him for all that he has done for the County.

#### **V. Adjourn and Continue Until Thursday, April 13, 2017 at \_\_\_\_ PM, in the Bridge Conference Room of the Courthouse in Lovingson for the Conduct of an FY18 Budget Work Session**

Prior to adjournment, Mr. Harvey commented that he was not proud of the way the last meeting was handled or done. He noted that the present meeting had been an exceptional example of how

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to disagree and he felt better about his conduct that night. He noted that the Board had always been a working Board and they needed to respect each other in order to get respect.

At 8:50 PM, Mr. Hale moved to continue the meeting until 3:00 PM on Tuesday, April 13<sup>th</sup> in the Bridge Conference Room and Mr. Saunders seconded the motion. There being no further discussion, Supervisors voted unanimously (5-0) by roll call vote to approve the motion and the meeting adjourned.